

In the Matter Of:
GEORGIA STATE ELECTION BOARD

MEETING
February 18, 2026



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GEORGIA STATE ELECTION BOARD

MEETING

Wednesday, February 18, 2026

9:17 a.m.

Historic Barrow County Courthouse

652 Barrow Park Drive

Winder, Georgia 30680

Nyla Morris, GA-CCR, CER, CDR



APPEARANCES

John Fervier, Chair

Janice Johnston, M.D., Vice Chair

Janelle King, Member

Salleigh Grubbs, Member

James Mills, Executive Director



TRANSCRIPT OF PROCEEDINGS

CHAIR FERVIER: Good morning. I'm calling to order the February 18th, 2026 meeting of the Georgia State Elections Board. My name is John Fervier. I'm Chairman of the Board. I'm joined today by members Salleigh Grubbs, member Dr. Janice Johnston, by member -- by member Janelle King, and also Executive Director James Mills. It's good to see all of you here today. Lots of people that we know, and glad to have you back.

We have a full agenda today so I'll be -- I have no comments to make, really. We -- this may extend into a second day depending on how quick these cases go through. We have a lot of cases and a lot of other things to discuss today. So we're going to go ahead and begin with a -- the invocation.

Dr. Johnston, would you please?

VICE CHAIR JOHNSTON: We'd like to -- let us pray. Oh, precious God, our father, this is a prayer from President Ronald Regan, often called A Prayer for Healing.

To preserve our blessed land, we must look to God. It is time to realize that we need God more than he needs us. We also have His promise that we could take to heart with regard to our country, that, If my people, which are called by my name shall humble

1 themselves and pray and seek my face, and turn from
2 their wicked ways; then I will hear from heaven and will
3 forgive their sin, and will heal -- and will heal their
4 land.

5 Let us, young and old, join together, as did
6 the First Continental Congress, in the first step, in
7 humble heartfelt prayer. Let us do so for the love of
8 God and His great goodness, in search of His guidance
9 and the grace of repentance, in seeking His blessings,
10 His peace, and the resting of His kind and holy hands on
11 ourselves, our nation, our friends, in the defense of
12 freedom and all mankind, now and always.

13 The time has come to turn to God and reassert
14 our trust in Him for the healing of America. Our
15 country is need of and ready for a spiritual renewal.
16 Today, we utter no prayer more fervently than the
17 ancient prayer for peace on Earth.

18 And I have a prayer for you today among those
19 that have often uttered. It is that one we're so
20 familiar with. The Lord bless you and keep you. The
21 Lord make his face shine upon you and be gracious onto
22 you. The Lord lift up his countenance upon you and give
23 you peace. And God bless you all. Amen.

24 (The audience members responded "Amen,"
25 collectively.)

1 CHAIR FERVIER: Member King, would you lead us
2 in the Pledge of Allegiance? We have a flag right over
3 here.

4 (The Pledge of Allegiance was recited.)

5 CHAIR FERVIER: Thank you. I just have one
6 request of everybody today. Every person in this room
7 has opinions, and those opinions that they express might
8 not be something that you like. So I'm going to ask
9 that you please be considerate of other people when
10 you're speaking, that there are no outbursts.

11 Clapping is not needed. If you want to clap,
12 let's try that jazz hand thing that I dislike so much.
13 But let's do that instead. And let's be respectful of
14 everybody else. Everybody deserves to be heard and this
15 board will allow you to be heard. But I just ask you to
16 please be respectful of everybody's opinions in this
17 room.

18 With that, we're going to get started. We
19 have a lot of cases to hear today, and this board has
20 had an opportunity to look through them and -- yep. Dr.
21 Johnston is recognized.

22 VICE CHAIR JOHNSTON: Mr. Chair, I'd like to
23 amend the agenda today. For the business part of the
24 meeting I would like to request to add Cases and
25 Investigations to the agenda.

1 CHAIR FERVIER: We'll have to send the -- we
2 have the agenda in the full business portion.

3 VICE CHAIR JOHNSTON: Thank you.

4 CHAIR FERVIER: Anything else? Any other
5 comments from the board?

6 Thank you. We will add that.

7 We will begin with Cases for Possible
8 Dismissal. The board has send out to you -- well, just
9 like I said, there are three cases that are listed for
10 possible dismissal. One is SEB2024-130, Cook County
11 Buying Votes. The second case is SEB2025-012, Elbert
12 County/Bowman Election Incorrect Ballot. The third case
13 is SEB2023-045, Fulton County Fraudulent Voter
14 Registration Application from October 2023.

15 Dr. Johnston has also requested dismissal
16 on -- this is on page 2 of your agenda, SEB2024-191,
17 Appling County Illegal Campaigning. Because -- do any
18 members of the board have any issues about adding that
19 to the case for -- cases for dismissal? Are there any
20 questions on the above-named cases in -- with -- the
21 members of the board would like to hear any of those
22 case? The chair will entertain a motion at this time on
23 the four above-named cases.

24 MEMBER KING: I make a motion that we dismiss
25 the four cases.

1 CHAIR FERVIER: We have a motion to dismiss
2 those four above-named cases. Is there a second?

3 VICE CHAIR JOHNSTON: Second.

4 CHAIR FERVIER: We have a motion to second.
5 Any discussion? Hearing no discussion, all that's in
6 favor of dismissing Case SEB2024-130, SEB2025-012,
7 SEB2023-045, and SEB2 -- SEB2024- 191, signify by saying
8 aye.

9 (Ayes were heard.)

10 CHAIR FERVIER: Any opposition? Hearing no
11 opposition, so moved. Those cases have been dismissed.
12 We are rapidly moving through this agenda. I appreciate
13 that.

14 The next item on the agenda is Cases for
15 Possible Violation. And the first one is SEB2022- 005,
16 Multi County. Well, this had to do with dual
17 registration. It is Case Number 4. There are some
18 statements in the file. Has the board had an
19 opportunity to review this?

20 VICE CHAIR JOHNSTON: Mr. Chair, I have
21 reviewed this. This case was requested to be continued
22 by the Secretary of State investigators. I think
23 they're still working on some of the documentation of --
24 of this multi-county, multi- respondent complaint
25 concerning double registration and double voting.

1 But the only question other than the
2 recommendation for -- for continuing this is why this
3 case has taken so long to investigate. Because all of
4 these complaints are in reference to the 2020 election
5 or the 2021 runoff election, and we are now in year 2026
6 and just having this case brought before the board.

7 And it appears by the investigative report
8 that I'm not sure the actual election documents have
9 been reviewed and investigated. I think it appears as
10 if only ElectionNet and My Voter Page was reviewed
11 rather than the actual election documents. And now
12 these election documents are in the hands of the FBI and
13 we will not be able to complete this investigation until
14 the documents are returned.

15 CHAIR FERVIER: Any other comments from the
16 board?

17 MEMBER GRUBBS: Mr. Chairman, I notice that
18 the complaint was made on December 6th of 2021, and it
19 took a year to even open the case. And as Dr. Johnston
20 said, this is from 2020 and these two concerned cases of
21 double voting. I -- you know, I have a lot of questions
22 about these cases considering it constitutes extra
23 votes. We need to know if anyone has a vote record.
24 It's very disturbing to me. I -- I'd like to ask, do we
25 have anyone here from the Secretary of State's

1 Investigator's Office with us this morning that could
2 speak to any of us?

3 CHAIR FERVIER: It appears not.

4 MEMBER GRUBBS: That's a shame. I agree with
5 Dr. Johnston that this -- this is very important and
6 this is very bothersome that it takes so long to get
7 something investigated, particularly when it concerns
8 extra voting. So I see it -- it's just not ready.

9 CHAIR FERVIER: Chair, will you entertain a
10 motion?

11 MEMBER GRUBBS: I vote that we continue this
12 case.

13 CHAIR FERVIER: There's a motion to continue.
14 Is there a second?

15 VICE CHAIR JOHNSTON: Second.

16 CHAIR FERVIER: There's a motion and a second.
17 Any discussion?

18 MEMBER GRUBBS: Yes. One further point in
19 this case is that if -- if these allegations of possible
20 double voting are not confirmed, the question is: Why
21 in the world are voters getting credit for voting that
22 are in the system and what is going on? Does that mean
23 that our vote totals are completely wrong?

24 What -- the first two cases, first two
25 respondents in this complaint are registered three times

1 with vote credit for the -- for three votes. Yet we're
2 questioning whether there was one ballot cast or three
3 ballots cast, one vote counted, or three votes counted.
4 I mean, you know, there's -- there's a need for some
5 better accounting and arithmetic, apparently. So this
6 case does need to be continued and investigated
7 thoroughly.

8 CHAIR FERVIER: We have a motion to second
9 continuing further discussion. Hearing no discussion,
10 all those in favor of continuing this case, respond by
11 saying aye.

12 (Ayes were heard.)

13 CHAIR FERVIER: Any opposition? Hearing no
14 opposition, so move that the Case SEB2022-005 will be
15 continued. The next case on the agenda is SEB2024-151,
16 Multi County Pre-Filled AB Applications from November
17 2024.

18 Mr. Executive Director, would you give us a
19 brief understanding what occurred here? Sorry I missed
20 you on the last one.

21 MR. MILLS: No problem. The Secretary of
22 State's office initiated the investigation on October
23 7th, 2024 after receiving complaints from several
24 counties alleging that the organization America Hack
25 (phonetic), a political campaign, sent partially

1 pre-filled absentee ballot applications to registered
2 voters in Chattooga, Cherokee, Coweta, Floyd, and
3 Whitfield Counties after the passage of a law that had
4 made such activity unlawful.

5 CHAIR FERVIER: I am having some problems,
6 technical problems here loading this up. We have -- can
7 you tell me who the respondents are?

8 MR. MILLS: The respondents are Attorney Eric
9 Wang and American PAC.

10 CHAIR FERVIER: Is Attorney Wang or America
11 PAC -- any representatives from America PAC here? Is
12 the respondent -- was there a statement presented on
13 this? I believe there was, wasn't there? I'm sorry.
14 My computer's not pulling stuff up here, so.

15 MEMBER GRUBBS: Are any of the complainants
16 here for this case? If they would like to speak.

17 CHAIR FERVIER: All right. The -- there's no
18 respondents here. There are potential violations as
19 shown of -- potential violation of 21-2-381, Subsection
20 (a)(1)(C)(ii) and then a violation of 21- 2-381,
21 Subsection (a)(1)(C)(ii). Any comments from the board?

22 The chair will entertain a motion on this
23 case.

24 VICE CHAIR JOHNSTON: Mr. Chair, I think there
25 is evidence to suggest that America PAC is in violation

1 of 21-2-381 when they sent to an elector pre-filled
2 absentee ballot applications in November of 2024 -- and
3 evidence to suggest that America PAC is in violation of
4 21-2-381 in that it failed to display -- and it can
5 speak to its location in statutory language. This is
6 not an official government publication and was not
7 provided to you by any government entity and this is not
8 a valid --

9 Mr. Chair, I would move that we issue -- I
10 make a motion that we issue a letter of reprimand to
11 America PAC.

12 CHAIR FERVIER: We have a motion to issue a
13 letter of reprimand to America PAC. Is there a second?

14 MEMBER KING: Second.

15 CHAIR FERVIER: We have a motion to second.
16 Any further discussion? Hearing no further discussion,
17 all those in favor of issuing a letter reprimand to
18 America PAC, signify by saying aye.

19 (Ayes were heard.)

20 CHAIR FERVIER: Any opposition? Hearing no
21 opposition, so moved. A letter reprimand will be sent
22 to America PAC on Case SEB2024-151. The next case on
23 the agenda is SEB2024-171, Multi County Non-Citizen
24 Voting.

25 MR. MILLS: Secretary of State's Office of

1 Investigation Division initiated this investigation
2 following an audit conducted by the SOS Election
3 Division in which they cross-referenced court juror
4 questionnaires where jurors claim to be non- citizens
5 with the Georgia Voter Registration System to identify
6 potential non-citizens who may have registered to vote
7 in Georgia, a potential violation of OCGA 21-2-561.

8 CHAIR FERVIER: This case had several
9 respondents, Richard Jones, Anthony Francis, Zara Dania
10 (phonetic), Lakesha (phonetic) Woods, Mary Marcy
11 Espinoza Mendoza, Samantha McLean Gamble, Rosemary
12 Basaji (phonetic), Dulce Romero, Deleaf Labra
13 (phonetic), DeKalb County Voter Registration Elections
14 and Fulton County Voter Registrations Elections.

15 Are there any of those above me individuals
16 here that would like to respond? And also if you come
17 to the podium -- also the Samantha Gamble portion of the
18 case was continued to March 18th. So we will not be
19 discussing Ms. Gamble today.

20 Ms. Pachuta, come up.

21 MS. PACHUTA: Yes, sir.

22 CHAIR FERVIER: We'll take you one at a time.
23 If you would please -- got to make sure the microphone
24 is adjusted properly and that you tell us who you are --

25 MS. PACHUTA: Okay. Can you hear me okay?

1 CHAIR FERVIER: -- and who you're
2 representing.

3 MS. PACHUTA: Can you hear me okay?

4 CHAIR FERVIER: Yes, ma'am.

5 MS. PACHUTA: All right. My name is Karen
6 Pachuta. I am the attorney for the Fulton County Board
7 of Registrations and Elections just retained on Monday.
8 You've probably seen me here before, though. Our office
9 only represents local government clients and I usually
10 handle all the election offices. So I have been here
11 before.

12 With this case, we do admit that all three of
13 the registrants that were in Fulton County appeared to
14 not be citizens. One of them was registered in 2013.
15 The other two were in 2017. None of them have a voting
16 history.

17 Since that time, the system has changed
18 immensely and -- especially with GARViS. Now there's
19 more affirmative steps that have to be taken, that they
20 have checked Yes to everything, including that they're a
21 U.S. citizen. And also, you upload basically the proofs
22 of their citizenship.

23 So since then, not only has the State enhanced
24 its procedures and the procedure with GARViS, also the
25 standard operating procedures are newer than they were

1 in 2013 and 2017. You should have received an email
2 yesterday. That packet does include a copy of that
3 portion of Fulton's operating procedures and the steps
4 that registration officials take to verify all the
5 information, make sure that they are not already
6 registered with their driver's license or other
7 information, and also to include the citizenship
8 information.

9 So considering this -- these registrations
10 occurred almost 10 years ago and more than 10 years ago
11 and that the system itself, both locally and the State's
12 office, has changed so much, we would ask that it either
13 be dismissed or a letter of instruction be issued.

14 CHAIR FERVIER: Thank you.

15 MR. MILLS: Which individuals did she discuss?

16 CHAIR FERVIER: Which individuals in
17 particular are you discussing? Which ones? Which
18 three?

19 MS. PACHUTA: That would be the last names
20 Labra, Espinoza -- well, that -- and Romero. Labra was
21 registered in 2013 and the other two occurred in 2017.
22 And there is no voting history on all three of these.

23 CHAIR FERVIER: Right. So Mr. Romero never
24 voted. The application was 2017. Labra never voted.
25 The application was 2013.

1 MS. PACHUTA: Correct.

2 CHAIR FERVIER: And the No box was checked on
3 the application when it came to citizenship?

4 MS. PACHUTA: That is correct. And the same
5 with Espinoza.

6 CHAIR FERVIER: Yeah. Espinoza. Correct.

7 MS. PACHUTA: It does appear that Non- Citizen
8 was checked on the application. Again, we acknowledge
9 that these individuals should not have been registered.
10 Our standard -- our procedures have changed a lot since
11 then. We, you know, changed our training since then.
12 But also with the new system and the steps, there's many
13 more steps now from the State system. You also have to
14 upload that proof of citizenship. So the likelihood of
15 it reoccurring is much reduced.

16 CHAIR FERVIER: Let's deal with DeKalb County
17 and these three individuals first, then.

18 MS. PACHUTA: No. It's Fulton County.

19 CHAIR FERVIER: I'm -- oh. Oh. I'm sorry.

20 MR. MILLS: What about the others from Fulton?

21 MS. PACHUTA: I believe you have DeKalb right
22 here.

23 MEMBER GRUBBS: Could I get your name again
24 please?

25 MS. PACHUTA: Karen Pachuta.

1 MEMBER GRUBBS: Could you spell that?

2 MS. PACHUTA: P-A-C-H-U-T-A.

3 MEMBER GRUBBS: Okay. And I have a question.

4 MS. PACHUTA: Uh-huh.

5 MEMBER GRUBBS: So it's coming from the
6 changeover with -- regardless on how the State has
7 changed that, what procedures has Fulton undertaken to
8 ensure that they're not registering non-citizens for
9 voting?

10 MS. PACHUTA: The packet of the email
11 yesterday -- and I also believe it was a handout this
12 morning -- has the procedures and steps. And it sort of
13 shows, like, an example of registration that we go
14 through. And it includes going through the checklist to
15 make sure that they have checked all the portions. It
16 also -- to check and make sure that they haven't
17 registered before, either by driver's license number or
18 another method to make sure that there's not already a
19 registration somewhere in the system. So that outlines
20 that current process for training.

21 MEMBER GRUBBS: Okay. And let me ask you,
22 were all -- all of these people were registered to vote
23 through what we commonly referred to as the Motor Voter
24 Laws; is that correct?

25 MS. PACHUTA: I don't believe so. They were

1 not.

2 CHAIR FERVIER: No.

3 MEMBER GRUBBS: No? Okay.

4 CHAIR FERVIER: That seemed to be the case for
5 the Gamble case. That was the case.

6 VICE CHAIR JOHNSTON: Mr. Chair this -- there
7 are five total Fulton County registrants in this
8 complaint. Gamble is one that is continued. But they
9 said there were. I have three on my list. There's
10 Espinoza, Mendoza, there's Basaji, and Romero and Labra.

11 CHAIR FERVIER: Okay.

12 VICE CHAIR JOHNSTON: And all these were
13 registered by walk-in application or a mail-in
14 application or a public health application.

15 MS. PACHUTA: My understanding is only three
16 of them were through Fulton County. If you have
17 separate information -- who -- I believe the others are
18 DeKalb. DeKalb attorney might be able to speak more to
19 that. Which was the other name?

20 VICE CHAIR JOHNSTON: Four are from DeKalb and
21 five are from Fulton County. So it's Marcy, Espinoza,
22 Mendoza.

23 MS. PACHUTA: Yes. That's --

24 VICE CHAIR JOHNSTON: Samantha McLean Gamle,
25 Rosemary Basaji.

1 CHAIR FERVIER: Bastable (phonetic).

2 Bastable?

3 VICE CHAIR JOHNSTON: Bastable. Two
4 spellings. Okay.

5 MS. PACHUTA: I will have to check on those.

6 VICE CHAIR JOHNSTON: Dulce Romero?

7 MS. PACHUTA: Yes. I have that.

8 VICE CHAIR JOHNSTON: And.

9 MS. PACHUTA: Yeah. Going on the findings
10 --and I listed three for Fulton County. So I would need
11 to check on those other two. I -- I don't know. So we
12 don't get full report. I don't know if the -- what the
13 investigator found related to the other two. But only
14 the three that I mentioned were listed in the findings.
15 But I -- I mean, I can find that out, but would not be
16 able to do that immediately.

17 VICE CHAIR JOHNSTON: Correct. Could you tell
18 me which voter was registered in 2012?

19 MS. PACHUTA: '13?

20 VICE CHAIR JOHNSTON: '13.

21 MS. PACHUTA: That would be Labra.

22 CHAIR FERVIER: Labra.

23 VICE CHAIR JOHNSTON: Labra. Can -- is there
24 an explanation of why did -- Deleaf Labra did not vote,
25 why she is still on the voter rolls and active on the

1 voter rolls?

2 MS. PACHUTA: I believe she's been removed.
3 Yes. All three of them have been removed.

4 VICE CHAIR JOHNSTON: No. Actually, my
5 question is: Why was she active and on the voter rolls
6 until this report was delivered?

7 MS. PACHUTA: I can only say -- and
8 unfortunately, when someone gets registered, until it's
9 approximately -- which is why it's important to catch it
10 on the front end and which is why you now -- the
11 procedures have all the steps to make sure that you go
12 through. And then also with proof.

13 Part of the reason I'm sure the State included
14 that in GARViS -- so that there is -- sort of the
15 pending -- you know, you have the pending citizenship
16 stage -- until they bring that in and you can verify it
17 and it's uploaded. So with GARViS, it should be easier
18 to catch these. I mean, that's part of just the
19 enhancement that the State has done as well. I'm not
20 even sure if they were using eNet, if it was a different
21 system in 2013. But, you know, with eNet, you didn't
22 have that extra step.

23 VICE CHAIR JOHNSTON: Right. And in that year
24 it -- the law said that if you were not active, not a
25 voter for three years, you were moved to the inactive

1 list and then the -- fall into the process of inactivity
2 to be -- eventually, if you're not active, you'd be
3 removed from the roll.

4 MS. PACHUTA: And that question may need to be
5 directed towards Secretary of State because that sort of
6 switchover with active and inactive is usually coming
7 from, like, a systemwide -- and from their end versus a
8 countywide level. So that may be --

9 VICE CHAIR JOHNSTON: I was -- if you're
10 registered in 2013 and you don't vote by 2016, you
11 should be moved to inactive and then it fall into the
12 process of being completely removed from the voter
13 rolls, correct?

14 MS. PACHUTA: I don't disagree with that.

15 VICE CHAIR JOHNSTON: Right.

16 MS. PACHUTA: And I think there probably were
17 many years prior to 2020 in which a lot of that cleanup
18 with active and inactive was not happening on the state
19 level. It, it is occurring much more frequently now.

20 VICE CHAIR JOHNSTON: It's the county's
21 responsibility to maintain accurate and current voter
22 rolls.

23 MS. PACHUTA: And we acknowledge that these
24 three people should not have been registered. One of
25 the administration officials is -- had -- is deceased

1 since this occurred. But that is a step they're trained
2 on. And I think with the new training, the new system,
3 it is something that is much less likely to occur and
4 then hopefully with the enhanced system from the state
5 level and also the active/inactive -- that that would
6 get processed easier.

7 VICE CHAIR JOHNSTON: And Marcy Espinoza
8 Mendoza wrote No on her mail-in application with the
9 question, Are you a U.S. Citizen. But apparently that
10 was ignored and she was made an active voter in --

11 MS. PACHUTA: That was -- yes. That was
12 absolutely an error back in 2017.

13 VICE CHAIR JOHNSTON: Right. And Deleaf Labra
14 checked No, but she was put on the voter rolls as an
15 active voter.

16 MS. PACHUTA: Yeah. I -- I don't disagree
17 that that -- that that should not occur. You know,
18 looking back, you know -- 2013 and 2017, it's a little
19 bit hard. I don't know what the training procedures
20 were back then or, you know, the history. One of those
21 poll worker or registration officials is deceased.

22 But hopefully, the steps we have taken in the
23 last few years to improve has helped with that.

24 VICE CHAIR JOHNSTON: Well, I would hope so
25 because Fulton County is registered at a point of 115

1 percent of citizen voting age population. So they're
2 going in the wrong direction. They were 114 percent two
3 years ago and now they're 115 percent. It's no wonder
4 that the Department of Justice would like the voter laws
5 to review and prepare for their accuracy and currency.

6 MEMBER KING: I have a question.

7 (Indiscernible) -- a question for Director
8 Williams. In the meeting December, we were told that
9 the voting roles were scrubbed monthly by Fulton County,
10 not the Secretary of State's office. Is that something
11 that's new?

12 VICE CHAIR JOHNSTON: They do check for
13 duplicates, and that matter -- I believe you should have
14 received in January a copy of the policy that handles
15 that. The voter role, it would have been, I think, it
16 would have been, I think, around January 26th, I
17 believe. Oh -- oh, yes. Sorry. IT goes through and at
18 least looks for those duplicates.

19 The role is -- every day it's different, you
20 know, between getting information about deaths or felons
21 or new people registering or people moving in and out of
22 county or in and out of state. Their role is constantly
23 changing. One of these steps is to look for duplicate
24 names. We try to catch that on the front end by looking
25 at driver's license and other issues to see if there's

1 another registration.

2 Some of the registrations may look like
3 duplicates and it requires staff to sort of look at,
4 because it could be a junior or a senior in the same
5 household. But that subject is not -- so there is --
6 there is a process to sort of go through. But again,
7 these roles are always changing. There is always work
8 to be done because it's such a fluid thing.

9 MEMBER KING: Yeah. So I'm clear, the
10 scrubbing that she -- that Ms. (indiscernible) referred
11 to is looking for duplicates, not non- citizen?

12 MS. PACHUTA: Okay.

13 MEMBER KING: Okay. They -- there's no way of
14 --

15 MS. PACHUTA: I don't believe that there's a
16 --

17 MEMBER KING: Especially if you have a
18 registration card saying they're a non-citizen, that's
19 not a way to check to see if it' s a citizen or not?

20 MS. PACHUTA: I don't -- especially -- well,
21 especially with older paper registrations. I'll let you
22 speak to that.

23 MS. GLENN: Good morning, board. My name is
24 Kathryn Glenn. I'm the Registration Chief of Fulton
25 County. Currently, GARViS -- we have to verify if

1 they're a citizen and give the source document of that
2 citizenship. In 2013 or 2017, even though these people
3 checked that, it was clerical error. I can't go back
4 and change that.

5 The only way we knew that these people were no
6 longer -- that they weren't citizens is through the --
7 them filling out the survey for the Superior Court that
8 they could not serve on the jury. They did nothing
9 wrong. There was a clerical error for Fulton County
10 through the -- they -- the people checked that they were
11 not citizens.

12 So they should not have -- they did register.
13 I mean, they get processed so that a letter can be sent
14 through the system, the -- which is eNet. And the same
15 thing with GARViS. There is a process. We still
16 process them, but we check that they're not citizens or
17 they go into pending, waiting for documentation. They
18 get an opportunity to supply that. But all of that goes
19 to verifying every felony application because some --
20 some come through mail, some come through OLVR, and then
21 we have to verify that they are citizens currently.

22 Going back to speak to voters still in active
23 status and they never voted, the Secretary of State does
24 that letter, the confirmations, when people don't vote.
25 They go, they do go into inactive status. Between the

1 transition from eNet to GARViS, there was a long period
2 of time that those folders were not sent those
3 confirmation letters.

4 We cannot just take them off. They have to go
5 through the process. We have to notify them that we are
6 going to take them off if they have not had any contact
7 or had any voting history or any updates. Because you
8 never have to vote. You can continue to update your
9 record and never vote. You don't have to.

10 MEMBER KING: Correct. So this process took
11 12 years. Is that -- not you? I know it's not you.
12 The Secretary of State's office, right. So the
13 Secretary of State's office dropped the ball here. And
14 the reason why they were -- they were brought to us
15 today -- and we know about this -- is because --because
16 they were still on the voters. So, because they're
17 still on -- I just want to make sure I'm clear.

18 MS. GLENN: Okay.

19 MEMBER KING: So basically what you're saying
20 is the reason why they're still -- they were still in
21 the voter roll -- I think they been removed recently.

22 MS. GLENN: They have been.

23 MEMBER KING: But they were still in the voter
24 rolls for the past 12 years -- is because the Secretary
25 of State's office did not do what they were supposed to

1 do.

2 MS. GLENN: Not necessarily they could have
3 updated through -- when they went to get their driver's
4 license. Because non-citizens can have a driver's
5 license. We don't get those from DDS because they check
6 that they're not citizens. But when they go it's -- it
7 -- it's potential since they were --

8 MEMBER KING: (Crosstalk.)

9 MS. GLENN: -- already. There are -- there
10 are other things that they can help us --

11 VICE CHAIR JOHNSTON: So there -- I know.
12 There are.

13 MS. GLENN: We'll get to that.

14 VICE CHAIR JOHNSTON: They do get a driver's
15 license.

16 MS. GLENN: I know they do.

17 VICE CHAIR JOHNSTON: Well, there -- there are
18 various ways where people can move to active even
19 without voting. Because it relates more to contact with
20 the voters. So if someone goes in and they update their
21 address with DDS, a lot of times that will -- even if
22 they've been inactive status, it kicks them back into
23 active status. And that's just, like, an automatic
24 thing that occurs.

25 There's not an easy way that I know from the

1 county perspective to go through and to be able to
2 verify whether someone is truly a citizen or not -- that
3 were registered prior to June. I don't know if
4 Secretary of State has access to other databases or
5 something that can run that kind of search. I'm not --
6 I don't know. But I know from the county perspective we
7 don't really have a way to do that.

8 So basically from a state level, there's
9 really no -- there's not a solid way to verify whether a
10 person is a citizen or non-citizen or both.

11 MS. GLENN: Not --

12 VICE CHAIR JOHNSTON: Unless they --

13 MS. GLENN: Right. Unless something happens
14 --

15 VICE CHAIR JOHNSTON: Unless they check their
16 box that they are a non-citizen or they get summoned.

17 MS. GLENN: Yeah. Or they get summoned.
18 Like, say if they get a precinct card. You know,
19 precinct changes -- may get a precinct card and they
20 were like, why am I getting this? I'm not -- you know,
21 I can't vote. They may call the office. But the -- I'm
22 not aware of a sort of way for us to go from the start.

23 VICE CHAIR JOHNSTON: Okay.

24 MS. GLENN: So there are ways where people may
25 realize -- because these individuals probably did get

1 precinct card notices and other information.

2 VICE CHAIR JOHNSTON: No. They shouldn't have
3 gotten them if they were not citizens, right?

4 MS. GLENN: Right. No. I agree. It --

5 VICE CHAIR JOHNSTON: I don't want to prolong
6 you because I think I'm repeating myself. This is my
7 last question.

8 MS. GLENN: No. And I -- and I don't want to
9 place any blame on these voters. I mean, it --

10 VICE CHAIR JOHNSTON: No. I don't want to
11 place blame on the voters because most of them -- the
12 voters did this. Most of them did it twice, actually.

13 MS. GLENN: Yeah.

14 VICE CHAIR JOHNSTON: They checked that
15 they're a non-citizen on their registration card and
16 still were registered and they checked that they were a
17 non-citizen when they got their jury summons. Thank
18 God, because now that alerted you all and you were able
19 to address it, which I appreciate. I'm glad you did
20 that.

21 But it still puts us in a position where we
22 are looking at this from a state level and what we're --
23 what I'm hearing is that there is no statewide method of
24 determining whether someone is a citizen or non-citizen
25 because we're just sitting on this honor system. And

1 this is the -- thank God, the honor system work this
2 time.

3 But if they check, Yes, I'm a citizen, they
4 have a driver's license and let's say they showed up for
5 jury duty. I mean, we have non-citizens that can do
6 this. I know we haven't gotten to DeKalb yet, but we
7 have people who voted 11 times. I mean, this is kind of
8 -- and this is not on the county, I guess, because the
9 county doesn't have a way of determining --

10 MS. GLENN: Yeah. If there were clerical
11 errors.

12 VICE CHAIR JOHNSTON: Yeah.

13 MS. GLENN: If there were clerical errors in
14 the past, there's not a way -- easy way for us to go
15 back well in the future and find that.

16 VICE CHAIR JOHNSTON: There's not a way to do
17 in the future.

18 MS. GLENN: No.

19 VICE CHAIR JOHNSTON: But now?

20 MS. GLENN: Well, right.

21 VICE CHAIR JOHNSTON: Right.

22 MS. GLENN: No. Right. If we were to look at
23 it in the future. But --

24 VICE CHAIR JOHNSTON: Yeah.

25 MS. GLENN: At least for people registering

1 now, it's much less likely to happen because there are
2 so many steps.

3 VICE CHAIR JOHNSTON: You have to show your
4 ID.

5 MS. GLENN: But as far as people who are
6 already registering --

7 VICE CHAIR JOHNSTON: What are they showing?
8 Because they have a driver's license and that that they
9 can upload --

10 MS. GLENN: Their driver's license says non-
11 citizen. And they have to show us the -- another
12 document. If their driver's license says non- citizen,
13 they have to show us another document to prove their
14 citizenship, naturalization paperwork. And we have to
15 actually choose which document they're using.

16 VICE CHAIR JOHNSTON: Okay. Okay. Thank you,
17 Ms. Glenn.

18 UNIDENTIFIED SPEAKER: Ms. Glenn?

19 MS. GLENN: Yes.

20 UNIDENTIFIED SPEAKER: Does the driver's
21 license say, non-citizen?

22 MS. GLENN: No. But we check the Motor Voter,
23 which tells us who's a citizen and who -- if they are
24 not a citizen.

25 UNIDENTIFIED SPEAKER: Yeah. But is there an

1 indicator on a driver's license for a non- citizen that
2 indicates that they are not a citizen, a U.S. citizen?

3 MS. GLENN: I do believe there is, but we go
4 into the Motor Voter system itself and it says if you're
5 a citizen or a non-citizen.

6 UNIDENTIFIED SPEAKER: So that's how you can
7 check if have --

8 MS. GLENN: We can. We -- we can. We can.

9 UNIDENTIFIED SPEAKER: You can check?

10 MS. GLENN: We can check but not a database,
11 like, we can't submit the voter roll.

12 UNIDENTIFIED SPEAKER: Okay. I thought --
13 okay. I thought you said --

14 MS. GLENN: Well, it would be -- it would have
15 to be someone coming in with their driver's license.

16 UNIDENTIFIED SPEAKER: Right.

17 MS. GLENN: Everyone having a check. Yes.
18 Only way you can take Motor Vote. Yeah. And currently,
19 that's not part of the process. When someone comes in
20 today, maybe that would be a recommendation.

21 Yes, Sara?

22 MS. TINDALL GHAZAL: Driver's licenses for
23 non-citizens have a small bar at the top of the driver's
24 license. It says, Term Limited. That indicates that
25 the driver, the license holder is a non-citizen. Is --

1 does the county instruct and educate all of its poll
2 workers and clerks to check the driver's license to see
3 if it indicates that they are a non-citizen when they
4 come to vote?

5 MS. GLENN: I do not believe so. I do not
6 believe that that's part of procedures because we're --
7 they're currently checking that notification
8 essentially.

9 MS. TINDALL GHAZAL: So a voter comes in and
10 they Term Limited on their driver's license and they get
11 to vote.

12 MS. GLENN: And -- and I --

13 MS. TINDALL GHAZAL: And they happen to be on
14 the roll because they are non-citizens.

15 MS. GLENN: I -- and I can't tell you. I -- I
16 don't know exactly what the driver --

17 MS. TINDALL GHAZAL: Yeah.

18 MS. GLENN: I don't.

19 MS. TINDALL GHAZAL: Right.

20 MS. GLENN: Since -- since I haven't had to
21 worry about it, I don't know the differences. That
22 might be a recommendation. It might even be a
23 recommendation for the legislature or a rule, you know,
24 to have that included with not just checking that the
25 person in front of you is, you know --

1 MS. TINDALL GHAZAL: Right.

2 MS. GLENN: The person that's coming.

3 Well, counties are in charge of elections --
4 of their elections. And I would hope that they would
5 instruct and educate all their poll workers to not only
6 just put the driver's license right next to the Poll Pad
7 to read the number --

8 MS. GLENN: Right.

9 MS. TINDALL GHAZAL: -- but to actually look
10 at the driver's license and see if there's an indicator
11 that is -- that there is not -- perhaps a non-citizen.
12 Now, they may have the become citizen and they should
13 have papers that indicate that or it should be in the
14 system --

15 MS. GLENN: And --

16 MS. TINDALL GHAZAL: And they now have their
17 identification papers.

18 MS. GLENN: And I can look into that. I, you
19 know, I can --

20 MS. TINDALL GHAZAL: Right. There's also --

21 MS. GLENN: I'm not familiar, but that's
22 something I can look into.

23 MS. TINDALL GHAZAL: Right. To share with
24 this audience. There's also a federal program called
25 SAVE, I believe it is, that will run the entire database

1 for the State of Georgia or certainly for Fulton County
2 or any county, DeKalb County to look for non-citizens.
3 And it is free. It is free now. It used to require
4 some payment. It is now free. I do not understand why
5 every county or the entire state is not running this
6 database to check for non-citizens rather than us just
7 putting out press releases that we have no non-citizens
8 on our voter roll. That's not true. We're looking at
9 seven cases or nine cases right now of non-citizens on
10 the voter rolls. And these are just two counties of 159
11 counties in this state. We could do better than this.

12 MEMBER KING: And this is what we know --
13 because they were summoned to do jury duty and they
14 happened to do the right thing by saying that they're a
15 non-citizen. But if you have a bunch of people on the
16 roles where we have counties that -- county election
17 workers are not trained to look for non-citizen IDs.
18 They're just matching the voter roll.

19 And then on top of that, you have someone who
20 does get a jury summon to decide that they want to go
21 and sit on our jury, even though they're a non-citizen,
22 then we don't catch them. So for people that are
23 saying, Oh, it's just nine people, this is nine people
24 that happened to do the right thing. We have a lot of
25 other people out there that may be on the rolls that

1 haven't, especially when we have dirty voter rolls. So
2 I think we should look at requesting counties to send
3 their voter rolls through the system so that we can
4 scrub these voter rolls to ensure that there aren't any
5 non-citizens on them. So I have a question.

6 MEMBER GRUBBS: So I have a question. It's
7 stunning to me because, you know, we hear all the time
8 that we don't have non-citizens voting in our elections
9 and that kind of thing. And given the inflated voter
10 roll numbers and given the fact that this investigation
11 -- opened the case on October 22nd of 2024, and we're in
12 February of 2026 -- when Fulton County was made aware
13 that there was this investigation, what proactive steps
14 did they take to look at other identification, that kind
15 of thing, for their voter rolls? Did they -- did they
16 do anything extra to attempt to see if there are non-
17 citizens who were on the rolls?

18 MS. GLENN: I can't answer that question
19 directly, but again, it is harder. We don't have an
20 easy way of just looking up, you know, prior registered
21 people.

22 And I do have a note. You had mentioned two
23 other people separately, (inaudible). But the fifth one
24 --

25 MEMBER KING: Current -- you're talking about

1 current, right?

2 MEMBER GRUBBS: Yeah. Currently.

3 MS. GLENN: Oh, currently. Yeah. Currently,
4 when you register, you have to put in that proof of
5 citizenship.

6 MEMBER KING: Right. So given the fact that
7 this investigation has been going on a while, I'm
8 curious to find out how many -- or is there any way to
9 tell -- how many non-citizens does Fulton County have on
10 its voter rolls at this time?

11 MS. GLENN: I'm not aware of a database that
12 one can easily check. Yeah. The fifth person that you
13 had listed, is it -- they just tried to look it up.
14 They do not see that person on Fulton County roles.

15 MEMBER KING: That person is taken off.

16 MS. GLENN: Yeah, but I -- oh, okay. They're
17 canceled. I will look into the other two that you
18 mentioned. Anything else?

19 CHAIR FERVIER: Is the representative from
20 DeKalb County here?

21 MR. HERRIN: It's my turn, my turn at the
22 podium. Good morning. Good morning, members of the
23 board. For the record, my name is Brent Herrin,
24 H-E-R-R-I-N. This case is very similar to a case that
25 was heard in December for DeKalb County that is

1 SEB2024-178. However, unlike Case 178, the DeKalb
2 voters in this particular case, no one checked the box
3 No on the application. For two of the voters, they
4 actually affirmed that they -- they were U.S. citizens
5 when they submitted the registrations. For two of the
6 voters, the boxes were not checked, Yes or No.

7 For Voter Jones -- and -- and the
8 investigator's report said that -- that his registration
9 card had not been submitted. We, in fact, did submit
10 Voter Jones's registration card to the investigators for
11 the Secretary of State. I have it here if you guys
12 would like a copy. But clearly, when he signed the card
13 in 1996, he indicated that he was a U.S. citizen.

14 With respect to voter Hane or Hania, he
15 indicated that he was a U.S. citizen on his voter
16 registration card. That was a registration that came in
17 by mail. And -- and I -- I guess I should say with
18 respect to Voter Jones also, he voted in -- he
19 registered in October of '96, and he voted in numerous
20 elections from 1998 through 2018. And I believe it was
21 when he came --

22 CHAIR FERVIER: 11 times, right?

23 MR. HERRIN: I don't know the exact number. I
24 -- I don't have that right here in front of me. But I
25 know he voted in elections from -- from 1998 through

1 2018. And I think he did go over jury duty, said he was
2 a permanent resident who is not a citizen and -- and
3 then stopped voting after that is my understanding.

4 With the next voter, Hania, that particular
5 voter registered -- sent in a registration card in
6 September of 2020. Indicated he was a United States
7 citizen. He has not voted in any election, has no voter
8 participation history.

9 CHAIR FERVIER: Which one was that?

10 MR. HERRIN: Hania, H-A-N-I-A, Voter Francis
11 submitted a registration card in February of 2020. He
12 did not indicate that he was a United States citizen.
13 He was registered to vote, which was a mistake on -- on
14 the part of DeKalb County. He has no voter history
15 showing that he's voted in any election.

16 CHAIR FERVIER: Let me ask a question about
17 Hania.

18 MR. HERRIN: Uh-huh.

19 CHAIR FERVIER: I'm sorry.

20 MR. HERRIN: Yep.

21 CHAIR FERVIER: The investigator found that
22 there were no -- locate any person with Hania's name and
23 date of birth. No drivers listed in the driver services
24 for this person. Now, can we show this person even
25 exists?

1 MR. HERRIN: I -- I don't know that. I --
2 what I do know is that the registration came in by mail.
3 The -- the registration came in by mail. And so because
4 a driver's license was not sent with it, he was flagged
5 for -- if he showed up to vote, he would have to submit
6 proof that he's eligible to vote at -- at the voting
7 precinct. However, he's -- he hasn't submitted -- he
8 hasn't voted. Apparently, he did show up, I guess, at
9 jury duty and -- and said he's not a United States
10 citizen. Again, I don't -- I don't know. I -- I don't
11 -- I don't know if that person exists or not.

12 Voter Francis, again, registered in 2020. Did
13 not indicate he was a United States citizen, has no
14 voter history showing that he's voted in any election.
15 Voter Woods submitted her registration card in September
16 of 2022. She did not indicate whether or not she was a
17 United States citizen, and she has no voter history
18 showing that she's voted in any election.

19 I will report that when we got this
20 information from the Secretary of State's office, the
21 DeKalb County immediately removed to these voters from
22 voter rolls. So they're no longer voters on the voter
23 rolls of DeKalb County. I will -- I stand here today
24 and tell you just like I did in December that DeKalb
25 County made a mistake in registering two of these

1 voters. They should not have been registered. And
2 those are voters Francis and Woods.

3 As I mentioned in the December meeting, as has
4 been common in a number of these older cases that have
5 come up DeKalb County hired a new elections director in
6 2022, Keisha Smith. And since Ms. Smith has been hired,
7 she has made significant improvements in the way
8 elections are conducted and administered in DeKalb
9 county. She has implemented additional training and
10 processes -- put processes in place related to
11 registrations.

12 That additional training includes new standard
13 operating procedures to ensure that registrations don't
14 occur -- that these types of registrations don't occur.
15 And that includes an audit. There are at least two sets
16 of eyes on every single voter registration application
17 that comes into DeKalb County. So the person that
18 processes it puts it into the system, and then there is
19 someone that is above that person who then reviews to
20 make sure everything that is on that list has been
21 properly entered into the system. So every single
22 registration coming into DeKalb County is audited.

23 I am sure that there will be additional cases
24 that this board has or that may come before this board
25 that predate these additional steps that DeKalb County

1 has put in place. However, we do not expect that there
2 will be future cases since these new processes have been
3 put in place where something like this will occur.

4 As you all know, Ms. Smith runs an efficient
5 office. She has high expectations of her staff and she
6 demands accountability when people mess up. The
7 individuals that were responsible for registering these,
8 the 2020 and 2022 registrants do no longer work for
9 DeKalb County.

10 I would ask that the -- that this body dismiss
11 DeKalb County related to Jones and Hania because when we
12 got their registration cards, they indicated they were
13 U.S. citizens. With respect to voters Francis and
14 Woods, we would ask for letters of instruction based
15 upon the new procedures and audit processes that have
16 been put in place by DeKalb County to prevent this from
17 happening in the future.

18 CHAIR FERVIER: I'm sorry. I'm stuck on this
19 Hania person.

20 MR. HERRIN: Sure.

21 CHAIR FERVIER: Or non-person. Do you -- do
22 you have the card?

23 MR. HERRIN: Yes.

24 CHAIR FERVIER: Which -- I'd like to see that,
25 please.

1 MEMBER KING: And you say they indicate
2 they're a citizen. Are you just referring to them
3 signing it because there's no box or is that --

4 MR. HERRIN: Correct. I think in '9 -- in '96
5 there wasn't a box, but he -- but he's certifying by
6 signing that that he's a United States citizen.

7 MEMBER KING: Do you have, is there a box now?

8 MR. HERRIN: There is a box now.

9 MEMBER KING: Something that's clear?

10 MR. HERRIN: If you'll look at Hania's
11 application, there is a box that says Yes or No. I
12 think in '96 there wasn't a box.

13 MEMBER KING: Yeah.

14 MR. HERRIN: And -- and again, for Mr. Jones,
15 every time you vote in an election, when you sign --
16 now, the Poll Pad you're attesting that you're a United
17 States citizen and eligible to vote.

18 VICE CHAIR JOHNSTON: I certainly hope that
19 the --

20 MEMBER KING: Well, if they catch it.

21 MR. HERRIN: What's that?

22 MEMBER KING: Catch it.

23 VICE CHAIR JOHNSTON: Right. I hope the poll
24 workers are looking at the driver's licenses because
25 about 99 percent of people that are coming to vote

1 provided driver's licenses, possibly one indicator that
2 they may or may not be a U.S. Citizen. I have a
3 question.

4 CHAIR FERVIER: Sure.

5 VICE CHAIR JOHNSTON: When a -- when a new
6 applicant comes in, all four of the DeKalb County voters
7 that have -- questioned here or registrants that are in
8 question, they all registered to vote in written
9 applications, which is interesting. These were not
10 initiated with DBS.

11 MR. HERRIN: That's correct.

12 VICE CHAIR JOHNSTON: Although sometimes I
13 think we need to monitor DBS these days. But when a new
14 registrant, a new applicant registers to vote, aren't
15 they put into a pending status until all of the
16 information is verified and checked?

17 MR. HERRIN: I -- that is -- I believe that to
18 be correct. And for at least three of these voters that
19 were registered in this millennia, they never voted,
20 right? So they would be in a pending status. They have
21 never shown up to vote. With respect to Mr. Jones, who
22 registered again in 1996, 1996 was -- I was in college
23 in 1996, so I have no idea what the -- matter of fact,
24 that was probably the first election I actually voted
25 in. I have no idea what the processes were back in 1996

1 for verifying anything.

2 VICE CHAIR JOHNSTON: Okay. And -- but if --
3 if a -- if there's a pending application and the action
4 is not taken on that application, then it's rejected
5 after a certain number of days, correct?

6 MR. HERRIN: I don't know the answer to that
7 question.

8 VICE CHAIR JOHNSTON: Well, that's what it is
9 in the code book.

10 MR. HERRIN: Okay.

11 VICE CHAIR JOHNSTON: I don't know what the
12 practice is.

13 MR. HERRIN: I -- I don't know what the
14 practice -- I don't know what the practice is, but I --
15 I -- I don't --

16 VICE CHAIR JOHNSTON: Okay.

17 MR. HERRIN: I -- I haven't reviewed that part
18 of the procedure.

19 VICE CHAIR JOHNSTON: All right. So when a --
20 when a voter registers, an applicant registers to vote,
21 are they sent a precinct card to --

22 MR. HERRIN: If they -- if they're registered
23 to vote, they would be sent a precinct card.

24 VICE CHAIR JOHNSTON: Precinct card.

25 MR. HERRIN: Correct.

1 VICE CHAIR JOHNSTON: And the precinct card
2 tells them where their polling place is, correct?

3 MR. HERRIN: Correct. That's correct.

4 VICE CHAIR JOHNSTON: And information -- it
5 confirms the information that they have just registered
6 to vote and the information is on their registration
7 application. But if the -- if there's a ghost voter,
8 say, like, Hania and card comes back -- so the precinct
9 card is sent and it is returned, it is returned mail,
10 isn't that applicant then rejected?

11 MR. HERRIN: Well, he -- I -- I'm not sure
12 there was returned mail. He was sent a letter in 2020
13 after he was registered saying, You didn't supply an ID
14 and here are the lists -- when you go to vote for the
15 first time, here are a list of things -- of possible
16 things you need to bring to show that you're eligible to
17 vote. That letter was not returned to the DeKalb
18 County.

19 VICE CHAIR JOHNSTON: So he did not provide
20 the ID?

21 MR. HERRIN: Correct.

22 VICE CHAIR JOHNSTON: And so why wasn't he
23 rejected as the applicant?

24 MR. HERRIN: He -- he -- at the time, I
25 believe that he was put into this status that when he

1 shows up to vote, he has to bring something to the
2 voting precinct to show that he's eligible. That's what
3 this letter says from 2020 that -- that was sent on.
4 And I've got a copy of that letter if you'd like it.

5 CHAIR FERVIER: So nobody checks whether this
6 information is accurate or not?

7 MR. HERRIN: My understanding is from Director
8 Smith is that once that information is entered, there is
9 a process through the Secretary of State's office that
10 verifies Motor Voter, Social Security Administration --
11 that goes through and -- and sends that. And then there
12 is -- periodically, they can download a report to see if
13 those things have been verified. When we got word that
14 -- that this particular voter, Hania, it would show that
15 the Social Security number came back as verified. That
16 report --

17 CHAIR FERVIER: He didn't have a Social
18 Security number on here? Yeah. He didn't have Social
19 Security number.

20 MR. HERRIN: I'm sorry.

21 CHAIR FERVIER: Everything on here was a lie.

22 MR. HERRIN: I'm sorry. I'm sorry. Yeah. It
23 -- it came back that -- one of the things came back as
24 -- as correct, but a number of things came back as not
25 correct. And he was listed as having to -- to bring

1 something when he showed up to vote. So he was flagged
2 that he couldn't just show up with an ID and vote. He
3 had to have one of these other -- other things that were
4 required in this letter.

5 CHAIR FERVIER: Does that mean he was in
6 pending stats?

7 MR. HERRIN: I don't know the answer to that
8 question, but he -- certainly couldn't just show up and
9 vote.

10 CHAIR FERVIER: Everything on here is a lie.

11 MR. HERRIN: I -- I will say when I -- I --
12 Mr. Chairman, I will say when I reviewed this yesterday,
13 you know, not that -- not that there aren't people that
14 were born on January 1, but that -- that just kind of
15 stood out -- stood out to me as -- as fine --

16 VICE CHAIR JOHNSTON: Well, I'm totally amazed
17 that whoever this person is supposedly shows up for jury
18 duty because we can't find him.

19 MR. HERRIN: Well, I -- the other thing I will
20 say --

21 VICE CHAIR JOHNSTON: He's a ghost voter.

22 MR. HERRIN: I mean -- and again, I have no
23 idea, but lots of people want to get out of jury duty.
24 So I -- I don't know that we verified that these
25 necessarily -- these people other than -- I think Mr.

1 Jones has admitted he's a permanent resident. With
2 these other individuals, I -- you know, have we verified
3 they're really not citizens. I -- I don't -- I don't
4 know that.

5 CHAIR FERVIER: I don't know that he showed up
6 for jury duty because the investigation says a copy of
7 the jury notification spreadsheet was provided through
8 mail. It may have just been a spreadsheet that they
9 picked that up off of, not that the guy's -- I mean, why
10 -- I -- I don't think this person exists.

11 VICE CHAIR JOHNSTON: I don't either.

12 CHAIR FERVIER: Yes, sir.

13 MR. HERRIN: Could be. And -- and he's not on
14 the voter rolls anymore if he does exist.

15 VICE CHAIR JOHNSTON: So you said that DeKalb
16 County audits, I guess, every application, I don't know
17 what that means exactly. Are the entire voter rolls
18 audited periodically?

19 MR. HERRIN: For citizenship status?

20 VICE CHAIR JOHNSTON: For accuracy.

21 MR. HERRIN: Yeah. I --

22 VICE CHAIR JOHNSTON: Accuracy.

23 MR. HERRIN: Yeah. We -- we do --

24 VICE CHAIR JOHNSTON: For citizens.

25 MR. HERRIN: We do a voter maintenance. We

1 have a voter maintenance program. Whether or not
2 citizenship is on that -- I mean, that SAVE program that
3 you mentioned earlier is -- I'll look into that and talk
4 to my client about that. But yes, we do have a -- a
5 voter list maintenance program.

6 VICE CHAIR JOHNSTON: My understanding is the
7 Secretary of State claimed that they were participating
8 in this program, but it doesn't seem like they have
9 communicated that to DeKalb County or in Fulton County.

10 MR. HERRIN: I'm not aware of that.

11 VICE CHAIR JOHNSTON: So it's just something
12 they're talking about but not actually acting upon it.
13 Yes?

14 MR. HERRIN: Yeah. Today -- today's the first
15 time I -- I became aware of that. That's -- I certainly
16 am going to look into that and -- and discuss it with
17 the board.

18 MEMBER KING: Mr. Chair, looking at this
19 investigative summary, it states that there were --
20 approximately 10 percent of the list, at least 5,000 or
21 6,000 jury affidavit submissions were reviewed. This is
22 between 2014 and 2015. And 611 of them were determined
23 to have -- I'm sorry -- 659 were questionable. 611 were
24 determined to have presented proof of citizenship and
25 48, I guess, have not.

1 Do we know what happened with all the rest of
2 those individuals? Is that something you might want to
3 find out is what -- where are the rest of them? Because
4 I know you only have a handful. Fulton has a handful.
5 But that's certainly not the full 48. That's just 2014
6 to 2015. So I think we should ask the investigators for
7 an update on the remaining individuals.

8 CHAIR FERVIER: Any further questions from the
9 board?

10 MEMBER KING: Sorry. May I speak again,
11 please? Ms. Osagle (phonetic) is here, Rosemary Osagle.
12 She is one of the ones that was there. I don't know if
13 she wants to speak. We were able to pull up -- she has
14 no voting activity. She is currently canceled. She
15 registered in 2018.

16 We were able to pull up that registration.
17 They're going through the process of all the old
18 registrations and scanning them into GARViS. That one
19 was checked U.S. citizen so I don't believe that was a
20 clerical error on the staff.

21 MR. HERRIN: That checked that she was --

22 MEMBER KING: Was.

23 MR. HERRIN: -- a U.S. citizen?

24 MEMBER KING: Yes.

25 MR. HERRIN: That's what she --

1 MEMBER KING: So I'm -- checked that -- it's
2 checked on the -- also, it's checked on the registration
3 form.

4 MR. HERRIN: Okay.

5 MEMBER KING: And we were able to pull that up
6 from here because it's one of the ones that has already
7 been scanned. The fifth, the Gamble, registered in
8 2017, currently canceled. No voting activity. That one
9 is not yet scanned so we can't pull up that voter
10 registration yet to see what that says.

11 VICE CHAIR JOHNSTON: Yes. And please
12 continue, Ms. Osagle.

13 MS. OSAGLE: Good morning. My name is
14 Rosemary Osagle.

15 CHAIR FERVIER: Would you -- would you
16 pronounce the last name again so I can --

17 MS. OSAGLE: Osagle.

18 MEMBER KING: Osagle.

19 MS. OSAGLE: Yes.

20 CHAIR FERVIER: See? I'll never get that one
21 but I'll try my best.

22 MS. OSAGLE: I am here this morning to let you
23 guys know, the commission, that I've never vote, even
24 register. I've been in this country for 20 years and
25 I'm married with my husband Ryan, and I have four

1 children. And I can tell you guys that I have never
2 registered to vote. That's what I'm going to tell you.
3 Or voted. Yes.

4 MEMBER KING: Was this one a Driver Services
5 or was this an actual card or what was it? Do you have
6 a copy of the registration?

7 MS. OSAGLE: Yes.

8 MEMBER KING: Okay. All right.

9 VICE CHAIR JOHNSTON: Can you please hold it
10 up? It looks like it's a mail-in card. And I will say
11 it's very tiny, correct? I can't tell because it's a
12 scan. It almost looks like the No is partially checked.
13 I mean, the Yes is clearly checked. It does look like
14 there's a possible mark -- and also on the No. I'm not
15 going to show this to you --

16 MEMBER KING: The investigator's report --

17 VICE CHAIR JOHNSTON: I mean, it -- it's very
18 clear that yes.

19 MEMBER KING: -- says that mail-in
20 applications --

21 VICE CHAIR JOHNSTON: It was --

22 CHAIR FERVIER: Have you seen that application
23 Ms. Osagle?

24 MS. OSAGLE: Yes. I've seen it.

25 CHAIR FERVIER: Is that your application?

1 MS. OSAGLE: No. No. It's still --

2 VICE CHAIR JOHNSTON: Is that your
3 handwriting, your signature?

4 MEMBER KING: It was -- but you did clearly
5 check Yes. Yes. And this was in 2018. There is no
6 voting history.

7 CHAIR FERVIER: Pardon me?

8 MEMBER KING: There is no voting history so
9 she has never voted.

10 CHAIR FERVIER: Right. Then she was a -- it
11 looks like that -- you have a driver's license, correct?

12 MS. OSAGLE: Yes, sir.

13 CHAIR FERVIER: And so she was activated with
14 a DDS -- once again -- verification.

15 Yes, sir.

16 MR. FRANCIS: Good -- good morning. I -- I
17 got some mail.

18 CHAIR FERVIER: Pardon me?

19 MR. FRANCIS: About voter's registration.

20 CHAIR FERVIER: What is your name?

21 MR. FRANCIS: Anthony Francis.

22 CHAIR FERVIER: Anthony Francis. Okay, Mr.
23 Francis.

24 MR. FRANCIS: So I --

25 CHAIR FERVIER: Would you speak into the

1 microphone, please?

2 MR. FRANCIS: Sorry. So I've never registered
3 to vote and I saw it so I came here to let you know I'm
4 not a registered voter at all.

5 MEMBER KING: This is DeKalb County. Was --
6 from my understanding, that this was an error in DeKalb
7 County, correct?

8 MR. HERRIN: Yes.

9 MEMBER KING: Okay. But I ask --

10 MR. HERRIN: Yeah. I mean we have a voter
11 registration card for Mr. Francis that was submitted.
12 And it -- it shouldn't have -- he should not have been
13 registered because he didn't check Yes or No on the --
14 on the application.

15 MEMBER KING: Okay.

16 MR. HERRIN: I'm happy to -- if you guys want
17 --

18 MEMBER KING: I just want to be clear. Yeah.
19 I will.

20 MR. HERRIN: Yeah.

21 VICE CHAIR JOHNSTON: Mr. Francis, is that
22 your application and your signature?

23 MR. FRANCIS: No. I do not sign my signature
24 this way.

25 VICE CHAIR JOHNSTON: Okay. You did not fill

1 out that application?

2 MR. FRANCIS: No.

3 MEMBER KING: Is there anything else in the
4 card that doesn't -- is not correct?

5 MR. FRANCIS: Everything seems correct, but I
6 never --

7 VICE CHAIR JOHNSTON: Did someone fill out a
8 notification for you, Mr. Francis?

9 MR. FRANCIS: Not by my knowledge.

10 CHAIR FERVIER: Is the address correct on
11 this?

12 MR. FRANCIS: We are currently moved, so I'm
13 not staying in DeKalb anymore.

14 CHAIR FERVIER: Was this -- was this address
15 correct in 2020?

16 MR. FRANCIS: Yes.

17 CHAIR FERVIER: You lived there?

18 MR. FRANCIS: Yes, I did live there.

19 MEMBER KING: But that's not your signature.

20 MR. FRANCIS: No.

21 CHAIR FERVIER: Do you have a driver's license
22 on you?

23 MR. FRANCIS: I don't have it on me, but I
24 recently replaced it, so the driver's license number is
25 different.

1 MEMBER KING: Well, that shouldn't make a
2 difference.

3 CHAIR FERVIER: Can you sign something for us
4 on a slip of paper?

5 MEMBER KING: Yeah. Please sign your name on
6 -- if you could please sign your name.

7 MR. HERRIN: I can have him sign this if you
8 want me to -- sign on this?

9 MEMBER KING: Yeah.

10 MR. HERRIN: Which is the same copy of it --
11 what you just have.

12 CHAIR FERVIER: Any questions?

13 MEMBER KING: Well, you did check that you are
14 a citizen or non-citizen, so if -- regardless, this is a
15 DeKalb error.

16 MR. HERRIN: Okay.

17 CHAIR FERVIER: Any further questions from the
18 board?

19 Thank you, sir.

20 VICE CHAIR JOHNSTON: Mr. Francis.

21 CHAIR FERVIER: Oh, sorry.

22 VICE CHAIR JOHNSTON: Mr. Francis, did you get
23 a precinct card from DeKalb County? Did they send you a
24 precinct card, a voting card?

25 MR. FRANCIS: No. I have not received one.

1 VICE CHAIR JOHNSTON: But the address on the
2 registration is correct?

3 MR. FRANCIS: Yes. Yes. I moved in 2022.

4 MEMBER KING: Okay. Did you get a precinct
5 card in 2020 --

6 MR. FRANCIS: No.

7 MEMBER KING: -- that the election -- okay.
8 No -- nothing in the mail?

9 MR. FRANCIS: Nothing about voter's
10 registration in the mail.

11 MEMBER KING: Did you get an absentee ballot?

12 MR. FRANCIS: No, I did not.

13 CHAIR FERVIER: Any further questions from the
14 board?

15 VICE CHAIR JOHNSTON: I have a quick question.

16 Mr. Herrin, do you know in this situation for
17 DeKalb County, if the voter doesn't check Yes or No, are
18 they automatically registered anyway?

19 MR. HERRIN: They should not be registered to
20 vote if they don't check yes or no. We should be
21 contacting the voter to verify their citizenship. If
22 they do not -- that is the current process. So if one
23 of these applications were to come in today, the process
24 would be -- is that they would contact the person that
25 submitted the registration to say, You didn't check this

1 box. You need to submit proof that you are a United
2 States citizen to be able -- for us to be able to
3 register you.

4 VICE CHAIR JOHNSTON: Mr. Francis, do you
5 recall if anyone ever contacted you?

6 MR. FRANCIS: I do not.

7 VICE CHAIR JOHNSTON: You don't recall or they
8 did not?

9 MR. FRANCIS: I never voted. I never got my
10 call or anything about --

11 VICE CHAIR JOHNSTON: Thank you.

12 MR. HERRIN: And -- and just to clarify, that
13 was not the process in 2020.

14 VICE CHAIR JOHNSTON: Right.

15 MR. HERRIN: But that is the process back --

16 VICE CHAIR JOHNSTON: Got it.

17 MEMBER KING: Thank you for coming and
18 clearing it.

19 MR. FRANCIS: Okay. Thank you.

20 CHAIR FERVIER: Any further questions from the
21 board? Are there any other respondents here on this
22 very long case? No. We will deal with these, I guess,
23 one at a time.

24 VICE CHAIR JOHNSTON: Mr. Chairman, a motion.

25 CHAIR FERVIER: Yes.

1 VICE CHAIR JOHNSTON: Move that you refer
2 DeKalb County to the attorney general for violation of
3 21-2-226 in Cases 1, 2, 3, and 4.

4 CHAIR FERVIER: We have motion for DeKalb
5 County, for the AG, violations of 1, 2, 3, and 4. Is
6 there a second? Hearing no second, the -- I'm sorry?

7 MEMBER KING: I -- these cases -- I just don't
8 know why -- what's the -- we've reviewed the cases
9 before.

10 VICE CHAIR JOHNSTON: My reason for
11 recommending referral to the attorney general is that it
12 is incumbent upon -- imperative that counties maintain
13 accurate and current voter rolls, including search and
14 research and review and audit for the registrants on
15 their voter rolls to identify registrants that are not
16 only -- well, including non- citizens.

17 There are methods and tools available today to
18 do that research, review, and audit. And I -- and both
19 of these counties are registered over 100 percent of the
20 citizen voting-age population, which suggests to me that
21 they are not adequately maintaining current and accurate
22 voter rolls as is required by the National Voter
23 Registration Act.

24 MEMBER GRUBBS: I have no problem with
25 seconding that motion.

1 CHAIR FERVIER: We have a motion to second.
2 Any further discussion? Hearing no further discussion,
3 all in favor, signify by saying aye.

4 (Ayes were heard.)

5 CHAIR FERVIER: Any opposition? Hearing no
6 opposition, it shall be moved, Five to zero.

7 VICE CHAIR JOHNSTON: Mr. Chair, I have a
8 motion.

9 CHAIR FERVIER: Yes.

10 VICE CHAIR JOHNSTON: In Fulton County, I
11 recommend a referral to the attorney general for Cases
12 5, 7, 8, and 9 for the same reasons, accepting this
13 panel.

14 CHAIR FERVIER: Right. Okay. I just want to
15 verify that. We have a motion to refer the Fulton
16 County AG on -- pertaining to cases 5, 7, 8, 9. Is
17 there a second?

18 MEMBER KING: Second.

19 CHAIR FERVIER: Motion to second. Any further
20 discussion? Hearing no discussion, all in favor,
21 signify by saying aye.

22 (Ayes were heard.)

23 CHAIR FERVIER: Any opposition? Hearing no
24 opposition, so moved. The chair will consider motions
25 on the individuals.

1 VICE CHAIR JOHNSTON: Mr. Chair?

2 CHAIR FERVIER: Okay.

3 VICE CHAIR JOHNSTON: I have a motion for
4 Richard Vaughn Jones, referral to the attorney general
5 the district attorney.

6 CHAIR FERVIER: We have a motion to refer
7 Richard Jones to the attorney general and district
8 attorney. Is there a second?

9 MEMBER KING: Second.

10 CHAIR FERVIER: We have a motion to second
11 from Member King. All those -- is there any discussion?
12 Hearing, discussion, all of those in favor signify by
13 saying aye.

14 (Ayes were heard.)

15 CHAIR FERVIER: Any opposition? Hearing no
16 opposition, so moved.

17 Chair member, is there another motion?

18 VICE CHAIR JOHNSTON: Mr. Chair, a motion
19 regarding Anthony Francis for him -- referral to the
20 district attorney and attorney general.

21 CHAIR FERVIER: Any discussion?

22 MEMBER KING: In this case, he didn't check
23 Citizen or Non-Citizen. So I just want to know, what
24 was there -- is it just filling it out in general?
25 Because DeKalb was supposed to contact them and verify

1 this. It should have been in the registry.

2 VICE CHAIR JOHNSTON: Right. The -- only U.S.
3 citizens can vote or register to vote in the United
4 States. This was a hand-filled application submitted by
5 Mr. Francis. And it says, I affirm that I'm eligible to
6 vote in Georgia. He did not check the Yes or No
7 application.

8 CHAIR FERVIER: Yeah. I have some concerns
9 because I feel like there's a lot of similarities to me
10 between what I see on Anthony Francis's application and
11 Mr. Hania, whether he exists or not -- with the members'
12 numbers. Mr. Francis has said he didn't even fill out
13 the application and his signature didn't really match
14 what --

15 VICE CHAIR JOHNSTON: Why would it match?

16 CHAIR FERVIER: No. I -- well --

17 MEMBER KING: It was similar.

18 CHAIR FERVIER: Can I see the signature?

19 VICE CHAIR JOHNSTON: Mr. Chair, I would like
20 to amend my motion to issue a letter of reprimand to
21 Anthony Francis.

22 MEMBER KING: I second.

23 CHAIR FERVIER: We have motion to second to
24 issue a letter of reprimand. Signify by saying aye.
25 All in favor, signify by saying aye.

1 (Ayes were heard.)

2 CHAIR FERVIER: Any opposition? Hearing no
3 opposition, so moved by a vote three to zero.

4 MEMBER KING: Here's a letter to your current
5 chair.

6 CHAIR FERVIER: Chair member, entertain
7 another motion?

8 VICE CHAIR JOHNSTON: Chair, I have a motion
9 to dismiss Zabra Kania (phonetic) because this person
10 cannot be located. There appears to be no such person.
11 And it suggests that this is a ghost registrant or ghost
12 -- I guess a vote -- it would be a ghost voter. So
13 there's no point in sending a letter to somebody that we
14 can't --

15 CHAIR FERVIER: We have motion to Mr. Kania --
16 Kania. Is there a second?

17 MEMBER KING: Second.

18 CHAIR FERVIER: We have a motion to second.
19 Any discussion? Hearing no discussion, all those in
20 favor, signify by saying aye.

21 (Ayes were heard.)

22 CHAIR FERVIER: Any opposition? Hearing no
23 opposition, so moved. Mr. Kania will be dismissed if he
24 exists.

25 Chair member, entertain another motion? Yes,

1 please.

2 VICE CHAIR JOHNSTON: Mr. Chair, I make a
3 motion that we refer to -- Keisha (phonetic) Woods to
4 the attorney general for violation of 21-2- 216.

5 CHAIR FERVIER: Ms. Woods did have a statement
6 I want to read out real quick since she did provide a
7 statement.

8 "I'm unable to attend due to funds. I don't
9 drive and I'm only -- I'm the only income in my house.
10 My husband is disabled. And I catch an Uber or Lyft to
11 work each day and also have to take my husband to Grady.
12 It costs a lot back and forth and plus I'm not a
13 American citizen either yet and never voted.

14 "This is too far out for me and the price I'll
15 have to pay to get there and back on top of paying my
16 bills in my house and going to work, I won't be able to
17 afford it. I'm already behind on my bills for this
18 month. Sorry. I just can't attend," this says --
19 statement by Ms. Woods.

20 Do we have a motion to -- I'm sorry -- send
21 that to the AG?

22 VICE CHAIR JOHNSTON: Yes.

23 CHAIR FERVIER: We have a motion to send it to
24 the AG. Is there a second?

25 MEMBER KING: Second.

1 CHAIR FERVIER: We have a second from Member
2 King. All of those in favor, signify by saying aye.

3 (Ayes were heard.)

4 CHAIR FERVIER: Any opposition? Hearing no
5 opposition, so moved by a vote of three to zero.

6 Dr. Johnston? Or anybody else?

7 VICE CHAIR JOHNSTON: Mr. Chair, I have a
8 motion that we refer Marcy Espinoza Mendoza to the
9 attorney general and district attorney. Mr. Chairman,
10 that -- to refer to the attorney general only.

11 MEMBER GRUBBS: I second.

12 CHAIR FERVIER: We have a motion to second to
13 refer Ms. Espinoza Mendoza to the attorney general. Any
14 discussion? Hearing no discussion, all those in favor
15 signify by saying aye.

16 (Ayes were heard.)

17 CHAIR FERVIER: Any opposition? Hearing no
18 opposition, so moved.

19 VICE CHAIR JOHNSTON: Mr. Chair, I would just
20 like to make a comment. In this particular case she
21 believes she completed a voter registration form when
22 requested by third-party canvasser. I think that's a
23 cautionary tale for some of these third-party canvassers
24 who put a lot of pressure on people to do these
25 registrations without fully letting people know or

1 finding out if they are actually citizens.

2 CHAIR FERVIER: Thank you. Do you have a
3 motion on -- the chair member entered a motion on
4 Rosemary Osagle.

5 VICE CHAIR JOHNSTON: Mr. Chair, I move that
6 we refer Rosemary Osagle to the attorney general for
7 violation of 21-2-216. Ms. Osagle checked Yes on her
8 application, Voter Registration Application as a -- that
9 she was a U.S. citizen.

10 CHAIR FERVIER: We have motion to refer Ms.
11 Osagle to the attorney general. Is there a second?

12 MEMBER GRUBBS: Second.

13 CHAIR FERVIER: We have a motion to second.
14 Any discussion? Hearing no discussion, all those in
15 favor, signify by saying aye.

16 (Ayes were heard.)

17 CHAIR FERVIER: Any opposition? Hearing no
18 opposition, so moved.

19 So chair member, do you have a motion on Mr.
20 Romero or turn the motion on Mr. Romero or is it Mr.
21 Romero?

22 VICE CHAIR JOHNSTON: Mr. Chair, motion to
23 refer Dulce Romero to the attorney general for violation
24 of 21-2-216.

25 CHAIR FERVIER: We have a motion to refer

1 Dulce Romero to the attorney general. Is there a
2 second?

3 MEMBER GRUBBS: Second.

4 CHAIR FERVIER: We have motion to second. Any
5 discussion? Hearing no discussion, all of those in
6 favor signify by saying aye.

7 (Ayes were heard.)

8 CHAIR FERVIER: Any opposition? Hearing no
9 opposition, so moved.

10 Chair member, you entertain a motion on Labra?

11 VICE CHAIR JOHNSTON: Mr. Chair, I move that
12 we issue a letter of reprimand to Deleaf Labra for
13 violation of 21-2-216 in that she filled out an
14 application and checked No in response to being a U.S.
15 citizen, but did complete the application and signed it.

16 CHAIR FERVIER: We have motion to refer Labra
17 -- oh, Labra. I'm sorry. I -- we have a motion to
18 issue a letter of reprimand to Labra. Is there a
19 second?

20 MEMBER GRUBBS: Second.

21 CHAIR FERVIER: We have a motion to second.
22 Any discussion? Hearing no discussion all in favor,
23 signify by saying aye.

24 (Ayes were heard.)

25 CHAIR FERVIER: Any opposition? Hearing no

1 opposition, so moved by a vote of three to zero.

2 MEMBER KING: I do have questions about why we
3 have the option of checking Yes or No for citizenship if
4 they are already breaking the law by signing or
5 completing it, period.

6 VICE CHAIR JOHNSTON: I get your point because
7 you're signing an oath. I mean, whether you --whether
8 you check Yes or No, you're swearing and affirming that
9 you're eligible to vote in Georgia.

10 MEMBER KING: Right? It's backwards. And it
11 -- in these cases, you get kind of caught up into the
12 system, so to speak because you're feeling it out.
13 You're saying, No, I'm not a citizen. But then you're
14 signing it saying, I am. This is very bizarre. So I --
15 so the voter registration card needs to be adjusted.

16 MEMBER GRUBBS: I believe that would be an
17 issue for the Secretary of State.

18 CHAIR FERVIER: Okay. The next item on the
19 agenda is SEB2025-022. It's a multi-county case,
20 alleged vote buying by Turnout the Vote Organization.

21 MR. HERRIN: Mr. Chairman, that completes
22 DeKalb County's business before the board today. May we
23 be excused?

24 CHAIR FERVIER: Are you sure you don't want
25 stay longer?

1 MR. HERRIN: I would love to stay and see what
2 happens. And I will listen to it in the car on the way
3 back to Atlanta and will put it on my computer when I
4 get back to the office.

5 CHAIR FERVIER: Don't want to pay for lunch or
6 cocktails or anything else, right?

7 MR. HERRIN: Ms. Ashley -- so no lunch for me
8 today, so.

9 CHAIR FERVIER: You're excused. You're
10 dismissed. Thank you.

11 MR. HERRIN: Thank you.

12 CHAIR FERVIER: Appreciate your attendance
13 here today.

14 Next on the agenda SEB 2025-022. Mr.
15 Executive Director?

16 MR. MILLS: The Secretary of State's office
17 initiated this investigation on April the 22nd, 2025
18 following the referral from the State Election Board
19 with three separate complaints that were received from
20 Ms. Gwen Hennessy (phonetic), Ms. Caitlin Edmonds
21 (phonetic), and Mr. Luke Stoes (phonetic). Each
22 complaint -- complainant states that text messages were
23 received from the same telephone number offering \$700
24 for voting for Kamala Harris. Now, this is a potential
25 violation of Official Code of Georgia OCGA 21-2-570.

1 CHAIR FERVIER: The investigator found that
2 the complaint was unsubstantiated and there were no
3 potential violations of -- with the recommendation by
4 the investigator. Any questions from the board or is
5 there -- I see the respondent in this case is --

6 VICE CHAIR JOHNSTON: Turnout the Vote.

7 CHAIR FERVIER: Yeah. I -- it's just not
8 showing. Having technical problems here today.

9 VICE CHAIR JOHNSTON: Is there Mr. Alex
10 Morgan?

11 CHAIR FERVIER: Alex Morgan. Mr. Alex Morgan,
12 Turnout the Vote?

13 MR. MILLS: What about Progressive Turnout
14 Project?

15 CHAIR FERVIER: Any questions from the board
16 on this? Any comments from the board?

17 VICE CHAIR JOHNSTON: Mr. Chairman, the only
18 question concerning this case was whether the --whether
19 voters were paid after they completed the survey. It's
20 unclear. And this is kind of a common campaign tactic,
21 to offer money to speak to or talk or influence or chat
22 up potential voters. But it's unclear whether the
23 people that completed a survey on behalf of the person
24 that perhaps is being paid was also paid. It just says
25 that there were conversations and they were compensated

1 for completing the project.

2 And I'm not sure who they is. Is it the
3 person that's working on behalf of the campaign or is it
4 the person that is a potential voter, which would be a
5 good operation. But if no one is here, I'm -- so I can
6 answer that? No one can answer the question.

7 CHAIR FERVIER: The chairman will entertain a
8 motion on this case if there's no further questions.

9 VICE CHAIR JOHNSTON: Mr. Chair, I know that
10 -- I know an Alex Morgan. I do not know if this is the
11 Alex Morgan. So I'll put in -- in an abundance of
12 caution, I'll recuse myself from any motion for vote.

13 MEMBER KING: Well, I make a motion that we
14 dismiss this case since the respondent was notified and
15 didn't show up. We can't get our questions answered.

16 CHAIR FERVIER: We have a motion you to
17 dismiss. Is there a second?

18 MEMBER GRUBBS: Second.

19 CHAIR FERVIER: Is there any discussion?
20 Hearing no discussion, all who is in favor of dismissing
21 this case, signify by saying aye.

22 (Ayes were heard.)

23 CHAIR FERVIER: The chair will also vote aye
24 except there is a quorum on voting. So it will be
25 dismissed by vote of three to zero. The chair would

1 kindly ask for a five-minute break.

2 MEMBER KING: So moved.

3 CHAIR FERVIER: Without dissent, we will have
4 a five-minute break, just a quick break and then get
5 back and -- get back to this. Thank you.

6 (A recess was taken.)

7 CHAIR FERVIER: The board is now back in
8 session. The next item on the agenda is SEB2024 - 160
9 -- 165, Ware County Legal Campaign and Photographic
10 Ballots.

11 MR. MILLS: The office of the Secretary of
12 State received the following complaint: Allegation
13 concerning the November 5th, 2024 general election in
14 Ware County, Georgia. Ware County election supervisor
15 Carlos Nelson reported three incidents that occurred
16 during the advanced voting period at the Ware County
17 Elections Office in Waycross, Georgia.

18 In the first incident, Mr. Nelson stated that
19 on 10-15-24, a voter was caught taking a picture of the
20 ballot on -- inside the voting area. The voter was
21 identified. In the second incident at the same location
22 on 10-16-24, another voter was wearing a MAGA hat while
23 standing in line inside the doors at the voting
24 precinct. And the third incident at the same location,
25 10-16-24, another person was seen outside the polling

1 place on the side of the building wearing a MAGA hat.

2 VICE CHAIR JOHNSTON: Is Malcolm Brady or
3 Benny Alman present?

4 MR. KEMP: Good morning, Chair, board members.
5 My name is Jason Kemp, K-E-M-P, and I represent Mr.
6 Brady. So for clarification, that's just for Issue 1 of
7 this matter. The basic facts of what the investigators
8 have laid out are true. Mr. Brady took a picture of his
9 ballot. He just mentioned that he was excited to vote
10 had no ill will in doing so.

11 As the board members know, the primary intent
12 of that law was to make sure that people aren't selling
13 their votes and demonstrating proof that they voted a
14 certain way in order to receive payment. That was not
15 at issue here at all. In fact, Mr. Brady deleted that
16 photo before he even left the -- the precinct.

17 He has not been in any trouble before. He is
18 an elderly man and he is quite anxious about what this
19 board decides today. We respectfully request a letter
20 of instruction, and as he mentioned to me, you'll never
21 hear his name again. Thank you. And again, that's just
22 Issue 1 for this matter.

23 VICE CHAIR JOHNSTON: Mr. Chair, I have a
24 motion.

25 CHAIR FERVIER: Yes, Dr. Johnston.

1 VICE CHAIR JOHNSTON: I move that we dismiss
2 Issue 1, Mr. Brady.

3 CHAIR FERVIER: We have a motion to dismiss
4 Allegation 1. Is there a second?

5 MEMBER GRUBBS: Second.

6 CHAIR FERVIER: We have motion to second. All
7 those in favor, signify by saying aye.

8 (Ayes were heard.)

9 CHAIR FERVIER: Any opposition? Hearing no
10 opposition, so moved.

11 VICE CHAIR JOHNSTON: Is Mr. Alman present?

12 MR. MILLS: Mr. Alman, Your Honor --

13 VICE CHAIR JOHNSTON: Mr. Alman had a letter.

14 CHAIR FERVIER: Let me read this letter real
15 quick from Mr. Alman. No? Is there a motion?

16 VICE CHAIR JOHNSTON: Mr. Chair, yes -- go
17 ahead. I make a motion that we dismiss against Mr.
18 Alman.

19 CHAIR FERVIER: We have a motion to dismiss.
20 Is there a second? Hearing no second, the chair will
21 consider another motion.

22 VICE CHAIR JOHNSTON: Mr. Chair, I move that
23 we issue a letter of instruction to Mr. Alman.

24 CHAIR FERVIER: We have a motion to issue a
25 letter of instruction to Mr. Alman.

1 MEMBER KING: Second.

2 CHAIR FERVIER: Is there a second? Any
3 discussion? Hearing no discussion, all in favor of
4 issuing a letter of instruction to Benny Alman in case
5 SEB2024-165, signify by saying aye.

6 (Ayes were heard.)

7 CHAIR FERVIER: Any opposition? Hearing no
8 opposition, so moved.

9 VICE CHAIR JOHNSTON: Mr. Chairman, I have a
10 motion for Allegation Number 3. I move that it be
11 dismissed, Allegation Number 3.

12 CHAIR FERVIER: We have a motion to issue a
13 letter -- to dismiss Allegation Number 3. Is there a
14 second?

15 MEMBER KING: Second.

16 CHAIR FERVIER: We have a motion to second.
17 Any discussion? Hearing no discussion, all those in
18 favor of dismissing Allegation 3, signify by saying aye.

19 (Ayes were heard.)

20 CHAIR FERVIER: Any opposition? Hearing no
21 opposition, so moved. Next item on the agenda is
22 SEB2024-226, Brooks County Early Voting Tabulated Posted
23 Prior to Election Day.

24 VICE CHAIR JOHNSTON: Is someone from Brooks
25 County present?

1 CHAIR FERVIER: Let me -- let me just read the
2 complaint real quick. The complaint of -- the Secretary
3 of State's office received the following complaint
4 concerning November 5th, 2024 general election in Brooks
5 County.

6 Tabulation tape was made public for public
7 viewing following the conclusion of early voting on
8 November 5th. The respondent is election supervisor
9 from Quitman, Georgia, the Brooks County Board of
10 Elections and Administration. Is there a respondent
11 here?

12 MR. KEMP: Yes, Your Honor -- board member --
13 it's Jason Kemp. I'm here for all the respondents in
14 this case. So the -- the early voting tabulation was
15 done on a Friday and posted erroneously as if it were
16 the final. Our investigation and I believe the -- the
17 investigation of the State also was that this was just
18 done in error, although it's frustrating that we could
19 not figure out who actually posted those tapes because
20 that -- that is a big deal to us.

21 So in order to address this, anybody who was
22 involved there that day is not going to be welcomed back
23 to work as poll workers or volunteers. Also, there --
24 obviously, they're training on this issue now. They're
25 making sure that people understand -- this is a very

1 simple concept -- that early voting tabulation is not
2 final. It's not to be posted.

3 And -- and just as a -- a broader measure, the
4 county has a new county administrator. And the -- the
5 board is laser focused on the Board of Elections. And I
6 -- I have a copy of it here with me. There's a bill
7 that's going to be introduced probably today. It
8 already has an LC number. It will probably have a house
9 bill number today -- to reconstitute the Board of
10 Elections in Brooks County.

11 The idea is, right now, it's constituted as a
12 three-member board and the supervisor of elections is
13 kind of a -- a floating employee that is -- on paper, it
14 looks like they're under the county administrator's
15 purview. But historically speaking, this person has
16 served the Board of Elections.

17 And so there's been -- I'll just say not 100
18 percent oversight because everybody is kind of looking
19 to one another to decide who -- who's going to reprimand
20 this individual. And the county administrator has
21 historically thought that, really, the county
22 administrator should not be reprimanding elections.

23 And so because of that, this has just gone
24 unaddressed. This new bill will add two more members.
25 So if the Board of Commissioners wishes to overhaul the

1 board, they may so that the three members will go to
2 five. And then the staff of the elections will fall
3 cleanly under the Board of Elections. So there will be
4 accountability just within that board and, of course,
5 the Board of Commissioners having general oversight of
6 that board.

7 So one last thing I forgot to mention. The --
8 the complaint was filed in the case, but as soon as this
9 was made aware to county staff, which was through
10 Facebook, unfortunately they did self-report. So
11 although there was a complaint filed, our staff
12 immediately self-reported this matter to the Secretary
13 of State. So for those reasons, we respectfully request
14 a letter of instruction for this matter. Thank you.

15 CHAIR FERVIER: Any questions from the board?

16 VICE CHAIR JOHNSTON: Yes. How many early
17 voting sites does Brooks County have?

18 MR. KEMP: One.

19 VICE CHAIR JOHNSTON: One. One tabulator? On
20 early voting, so two tabulators.

21 MR. KEMP: That's right. One location.

22 VICE CHAIR JOHNSTON: Okay. One --

23 MR. KEMP: One tabulator.

24 VICE CHAIR JOHNSTON: One ballot scanner.

25 MR. KEMP: That's correct.

1 VICE CHAIR JOHNSTON: And they closed the poll
2 on Friday and then posted it on the door?

3 MR. KEMP: On the door as if it were the final
4 count. The individual, I'm -- I'm presuming, assumed
5 that they were following the law for final. We're not
6 sure who did it so we can't state 100 percent for sure.

7 VICE CHAIR JOHNSTON: But, you know, my issue
8 with the investigation was that no one would own up --

9 MR. KEMP: Right.

10 VICE CHAIR JOHNSTON: -- or admit that they
11 had done this.

12 MR. KEMP: Absolutely.

13 VICE CHAIR JOHNSTON: So rather than -- the
14 key there is to shut down the machine, push this button.
15 Not close the polls -- this button on the Dominion
16 scanner, right?

17 MR. KEMP: Right.

18 VICE CHAIR JOHNSTON: And so you'll have a new
19 team that knows how to do this for early voting in the
20 next election.

21 MR. KEMP: Well, the -- we're -- the effective
22 date will be January 1 of next year. So we will get
23 through this election cycle. But we certainly now know
24 that we're going to be laser focused on this issue for
25 this election.

1 VICE CHAIR JOHNSTON: All right. We don't
2 tabulate until Election Day.

3 MR. KEMP: Right.

4 VICE CHAIR JOHNSTON: All right.

5 CHAIR FERVIER: Member King?

6 MEMBER KING: I think both should be issued a
7 letter of reprimand.

8 CHAIR FERVIER: We have a motion to issue a
9 letter of reprimand. Is there a second?

10 VICE CHAIR JOHNSTON: Second.

11 CHAIR FERVIER: We have motion and a second to
12 issue a letter of reprimand. Any discussion? Hearing
13 no discussion, all those in favor of issuing a letter of
14 reprimand on SEB2024- 226 signify by saying aye.

15 (Ayes were heard.)

16 CHAIR FERVIER: Any opposition? Hearing no
17 opposition, so moved.

18 Okay. Thank you for coming all the way from
19 Brooks County.

20 Next item on the agenda is SEB2025-003,
21 Colquitt County Failure to Open Poll at 7:00 a.m.

22 MR. MILLS: The Office of the Secretary of
23 State received the following complaint during the
24 November 5th, 2024 general election.

25 Complainant Christine Bahamian (phonetic)

1 stated that on 11-5-2024 at 7:29 a.m., she was standing
2 in line at the Autreyville Volunteer Fire Department
3 polling place waiting for it to open.

4 CHAIR FERVIER: The respondent in this case is
5 Jerry Ply (phonetic), male poll manager. Is Jerry here?
6 No. Okay. Any questions from the board? Any comments
7 from the board on this case?

8 VICE CHAIR JOHNSTON: Mr. Chair, a letter was
9 received, I believe, in this case.

10 CHAIR FERVIER: Yes.

11 VICE CHAIR JOHNSTON: And the elderly is
12 getting younger and younger every day. But Jerry Ply no
13 longer -- is no longer working as a poll worker -- who
14 was the poll worker involved in the delay of opening the
15 poll. And the letter is very explanatory as to what
16 occurred. I recommend that we dismiss this.

17 CHAIR FERVIER: Do you make a motion?

18 VICE CHAIR JOHNSTON: I make a motion that we
19 dismiss this case.

20 CHAIR FERVIER: We have a motion to dismiss
21 this complaint.

22 MEMBER GRUBBS: Second.

23 CHAIR FERVIER: We have a motion to second.
24 Any discussion? Hearing no discussion, all that is in
25 favor of dismissing the complaint, signify by saying

1 aye.

2 (Ayes were heard.)

3 CHAIR FERVIER: Any opposition? Hearing no
4 opposition, so moved. Case SEB2025-003 is dismissed.

5 Next is SEB2023-097. Bacon County, City of
6 Alma, Miscellaneous.

7 MR. MILLS: The Office of the Secretary of
8 State received the following complaints during November
9 7th, 2023 on a general municipal election held in Alma,
10 Georgia. And it list about seven there.

11 VICE CHAIR JOHNSTON: Is there a Mayor Larry
12 Taylor, Shameeka Brenton (phonetic), or Howard Bruce
13 Barnett (phonetic) present?

14 CHAIR FERVIER: There are three potential
15 violations listed in the one for Howard Bruce Barnett --
16 violate 21-2-218(c), Address change and corrections.
17 Also 21-2-571, Voting by unqualified elector or giving
18 false information.

19 Violation for -- excuse me -- violation for
20 potential violation for Shameeka Brenton 21-2-218(c),
21 address changes and corrections and also 21-2-2-571,
22 voting by unqualified elector or giving false
23 information.

24 And then potential against Mayor Larry Taylor,
25 21-2-414(d), prohibition of -- from entering certain

1 polling places. There were several other allegations of
2 -- let's deal with them individually. Allegation 1 was
3 against Austin and Mary Boatwright. Is there any
4 questions on that allegation? I'm sorry.

5 VICE CHAIR JOHNSTON: Is the complainant here,
6 Mr. Basemore (phonetic)?

7 CHAIR FERVIER: Oh. I'm sorry.

8 VICE CHAIR JOHNSTON: Mr. Chairman, I have a
9 motion.

10 CHAIR FERVIER: Okay.

11 VICE CHAIR JOHNSTON: I move that we dismiss
12 Allegation 1, 4, 5, and 7 and issue a letter of
13 instruction to Howard Bruce Barnett, Shameeka Brenton,
14 and Larry Taylor. Those are Allegations 2, 4, and 5.

15 CHAIR FERVIER: Letter of -- what -- what's
16 the --

17 VICE CHAIR JOHNSTON: Letter of instruction.

18 CHAIR FERVIER: We have a motion to dismiss
19 Allegations 1, 4, 5, and 7. Let's deal with that. Is
20 there a second to dismiss Allegations 1, 4, 5, and 7?

21 MEMBER GRUBBS: Second.

22 CHAIR FERVIER: Second, Member Grubbs. Any
23 discussion? Hearing no discussion, all those in favor
24 of dismissing Allegations 1, 4, 5, and 7, signify by
25 saying aye.

1 (Ayes were heard.)

2 CHAIR FERVIER: Any opposition? Hearing no
3 opposition, so moved.

4 MEMBER KING: It says 1 --

5 CHAIR FERVIER: 4, 5, and 7.

6 VICE CHAIR JOHNSTON: 1, dismiss 1.

7 MEMBER KING: What is 3?

8 VICE CHAIR JOHNSTON: 4, Jerry Smith.

9 Dismissed 1, Boatwright, 4, Jerry Smith, 5, Use of
10 municipal employees to assist in a campaign, and 7, who
11 also --

12 CHAIR FERVIER: Okay. Now what's your --
13 another motion?

14 VICE CHAIR JOHNSTON: Mr. Chairman?

15 Motion to issue a letter of instruction in
16 Howard Bruce Barnett.

17 CHAIR FERVIER: We have a motion to issue a
18 letter of instruction on Allegation Number 2 to Howard
19 Barnett. Is there a second?

20 MEMBER GRUBBS: Second.

21 CHAIR FERVIER: We have motion to second. Any
22 discussion? Hearing no discussion, all those I favor
23 signify by saying aye.

24 (Ayes were heard.)

25 CHAIR FERVIER: Any opposition?

1 VICE CHAIR JOHNSTON: Mr. Chair, that's for
2 violation of 21-2-571.

3 CHAIR FERVIER: Yes.

4 VICE CHAIR JOHNSTON: Okay.

5 CHAIR FERVIER: Motion carries three to zero.

6 VICE CHAIR JOHNSTON: Mr. Chair, I have a
7 motion --

8 CHAIR FERVIER: Yes.

9 VICE CHAIR JOHNSTON: -- to letter of
10 instruction to Shameeka Brenton for violation of
11 21-2-571, voting by unqualified elector.

12 MEMBER KING: Second.

13 CHAIR FERVIER: Can I ask why a letter of
14 instruction on that one versus the letter of reprimand?
15 Or just was curious why that one, which she has seen to
16 -- purposely never -- she wasn't at that address.

17 VICE CHAIR JOHNSTON: Would you like to
18 discuss that now?

19 CHAIR FERVIER: Well, I mean, Shameeka Brenton
20 never was a resident of that address. It was her mother
21 that lived there, but she moved out in 2017. Shameeka
22 was never listed as an adult resident on her mother's
23 lease.

24 MEMBER KING: Are you suggesting she get a
25 letter of reprimand?

1 CHAIR FERVIER: Yeah. I think she was using
2 the wrong address for her voter.

3 VICE CHAIR JOHNSTON: Mr. Chair, I'll withdraw
4 my motion.

5 CHAIR FERVIER: I mean, I would -- I would --
6 you know, I thought this one should go to the AG,
7 actually, in my notes. But I would -- the chair will
8 consider a motion.

9 MEMBER KING: I did have the AG on my notes as
10 well for her.

11 CHAIR FERVIER: The chair would consider a
12 motion on --

13 MEMBER KING: So I make a motion that we send
14 Shameeka Brenton to the AG's office.

15 CHAIR FERVIER: Do we have motion to send
16 Allegation Number 3, Shameeka Brenton, to the AG? Is
17 there a second?

18 MEMBER GRUBBS: I'll second.

19 CHAIR FERVIER: We have motion to second. Any
20 further discussion? All those in favor, signify by
21 saying aye.

22 (Ayes were heard.)

23 CHAIR FERVIER: Dr. Johnston?

24 VICE CHAIR JOHNSTON: Aye.

25 CHAIR FERVIER: Okay. Any opposition?

1 Hearing no opposition, so moved. Shameeka Brenton,
2 we're sending to the AG. And the last one is Allegation
3 Number 6, Mayor Taylor.

4 MEMBER KING: Did we already do Howard?

5 CHAIR FERVIER: We did 1, 2, 3, 4, 5 -- you --
6 for 6?

7 MEMBER KING: Yes.

8 CHAIR FERVIER: We did a letter for Mayor
9 Taylor.

10 MEMBER KING: Okay. I make motion that we
11 issue a letter of reprimand to Mayor Taylor.

12 CHAIR FERVIER: We have a motion to issue a
13 letter reprimand to Mayor Taylor. Is there a second?

14 VICE CHAIR JOHNSTON: Second.

15 CHAIR FERVIER: We have a motion to second.
16 All those in favor, signify by saying aye.

17 (Ayes were heard.)

18 CHAIR FERVIER: Any opposition? Hearing no
19 opposition, so moved. That concludes that case. Next
20 item on the agenda is SEB2024-050. Coffee County, City
21 of Douglas Illegal Campaigning -- Poll Worker Issue.

22 MR. MILLS: The Secretary of State received a
23 complaint from Olivia Cote Pearson (phonetic) and
24 election supervisor Christie Nipper (phonetic) during
25 the November 7th, 2023 municipal general election in the

1 city of Douglas. The following is a list of the
2 allegations, and the members have those. There's seven
3 allegations listed there.

4 CHAIR FERVIER: The respondents are Russell
5 Lashay Johnston, Deborah Christie Nipper, Coffee County
6 Election Supervisor, and Coffee County Board of
7 Elections Administration. Anybody here to speak on this
8 case? Chair will entertain motion on these allegations.

9 MEMBER KING: Mr. Chair, I make a motion that
10 we dismiss Allegations 1, 2, 3, 4, and 7.

11 CHAIR FERVIER: We have a motion to dismiss
12 Allegations 1, 2, 3, 4, and 7. Is there a second?

13 VICE CHAIR JOHNSTON: Second.

14 CHAIR FERVIER: We have motion to second. Any
15 discussion? Hearing no discussion all those in favor,
16 signify by saying aye.

17 (Ayes were heard.)

18 CHAIR FERVIER: Any opposition? Hearing no
19 opposition, so moved. 1, 2, 3, 4, and 7 are dismissed.
20 Chair will entertain a motion on Allegation Number 5.

21 MEMBER KING: Chair, I make a motion issue a
22 letter of reprimand.

23 CHAIR FERVIER: We have a motion to issue a
24 letter of reprimand in Allegation Number 5. Is there a
25 second?

1 VICE CHAIR JOHNSTON: Second.

2 CHAIR FERVIER: We have motion to second to
3 issue a letter of reprimand in Allegation Number 5. All
4 those in favor?

5 (Ayes were heard.)

6 CHAIR FERVIER: Any opposition? Hearing no
7 opposition, so moved. The letter of reprimand will be
8 issued on Allegation Number 5. Chair will entertain a
9 motion on Allegation Number 6.

10 MEMBER KING: I make a motion to issue a
11 letter of reprimand for Allegation Number 6.

12 CHAIR FERVIER: My issue with this one is the
13 fact that this woman covertly took her ballot out of the
14 -- out of the polling thing. But I will -- we have a
15 motion to issue a letter of reprimand. Is there a
16 second?

17 MEMBER GRUBBS: I'll second that.

18 CHAIR FERVIER: We have a motion to second to
19 issue a letter of reprimand on Allegation Number 6. Any
20 discussion?

21 VICE CHAIR JOHNSTON: Yes. I would want to
22 discuss taking a ballot out of the -- out of the polling
23 place simply voids the vote for the person that's taking
24 their own ballot out of the -- I mean, I don't know why
25 people would do that because they lose their vote. They

1 can't come back in. They can't come back in and scan
2 it. They can't come back in and get another ballot.
3 They have lost their right to vote if they walk out with
4 a ballot.

5 If they want to be bullheaded about that, I
6 guess they can do that. So I really don't have much of
7 an issue of people taking that out unless you think
8 there's some security risk with spoiling your own
9 ballot. I don't think it's a should be a violation of
10 law for you to touch or hold your own ballot.

11 Otherwise, every single absentee ballot voter would be a
12 violation of the law because they're handling their own
13 ballot.

14 So it's rather silly to consider that a
15 violation -- that a voter with their own ballot walks
16 out of the polling place and they're holding their own
17 ballot. The intent of the law, I would assume -- or
18 maybe I'm assuming too much -- is that we don't want
19 other people handling other voter ballots, which is
20 certainly a concern. But handling our own ballot is not
21 a concern of mine. So I'd like to hear from the board
22 if they have other opinions.

23 MEMBER KING: I think for me the fact that she
24 did conceal it made me think that she may have
25 understood that she wasn't supposed to do something but

1 anyway. So that's -- that was the reason why I wanted
2 to issue a letter of reprimand. I'm willing to amend to
3 a letter of instruction. Maybe she's not aware of the
4 violation. Because although we feel that there is a --

5 VICE CHAIR JOHNSTON: Mr. Chair, do you have
6 an opinion?

7 CHAIR FERVIER: I -- my opinion is, I don't
8 like the way that this voter acted and that she
9 concealed it, put it in her purse, and then denied doing
10 what she was doing. And I find that a little
11 concerning. She was aware of exactly what she was
12 doing. She knew she wasn't supposed to be doing that.

13 And to me that is more than a letter of
14 instruction when you -- walking out -- walking out with
15 your ballot and not understanding what you're doing is
16 one thing -- or make a mistake. This woman didn't make
17 a mistake. She knew exactly what she was doing.

18 MEMBER KING: And she lied about it.

19 CHAIR FERVIER: And she lied about that. So
20 did you amend it or do you want us to do the original
21 letter?

22 MEMBER KING: Stick with my original letter of
23 reprimand.

24 CHAIR FERVIER: We have -- we have a motion to
25 issue a letter of reprimand. I believe we have a

1 second. Any further discussion? All those in favor of
2 issuing a letter of reprimand, signify by saying aye.

3 (Ayes were heard.)

4 CHAIR FERVIER: Any opposition:

5 VICE CHAIR JOHNSTON: No.

6 CHAIR FERVIER: Motion carries two to one. A
7 letter of reprimand will be issued. Next item on the
8 agenda is SEB2024-227.

9 MR. MILLS: The Secretary of State opened this
10 investigation after it was reported that Johnny Roper
11 (phonetic) attempted to vote in the November 5th, 2024
12 general election advanced voting while on probation.

13 MEMBER KING: Is Mr. Roper here?

14 CHAIR FERVIER: The respondent, Johnny Roper.
15 Is Mr. Roper here? No. Any questions from the board on
16 this? The potential violation suggested that Mr. Roper
17 violated OCGA 21-2- 216(b). Chairman will entertain a
18 motion.

19 VICE CHAIR JOHNSTON: Mr. Chair, I move that
20 we refer this to the attorney general.

21 CHAIR FERVIER: We have a motion to refer this
22 in case the attorney general. Is there a second?

23 MEMBER GRUBBS: Second.

24 CHAIR FERVIER: Chairman Grubbs is number two,
25 the second.

1 MEMBER GRUBBS: Third.

2 CHAIR FERVIER: Any discussion? Hearing no
3 further discussion, all those in favor of sending the
4 SEB2024-227 to the AG, signify by saying aye.

5 (Ayes were heard.)

6 CHAIR FERVIER: Any opposition? Hearing no
7 opposition, so moved by a vote of three to zero. Moving
8 right along, now we're on page 2. The next item on the
9 agenda is SEB2023-056, Glynn County Absentee Ballot
10 Application Issues.

11 MR. MILLS: The Office of the Secretary of
12 State received the following complaint concerning the
13 November 7th, 2023 general election in Glynn County,
14 Georgia. Glynn County election supervisor, Chris Chanel
15 (phonetic) alleges that Audrey Gibbons (phonetic) was
16 assisting electors with their absentee ballot
17 applications without signing as the person assisting.

18 CHAIR FERVIER: Respondent is Audrey Gibbons.
19 Is Ms. Gibbons here? No. Any questions from the board
20 on this? Potential violations are 21-
21 2-381(a)(1)(C)(i), Making the application for an
22 absentee ballot and 21-2-381(a)(1)(C)(ii), titled,
23 Making an Application for Absentee Ballot Slips -- for
24 different individuals, of course.

25 The chair would entertain a motion on this.

1 MEMBER KING: Mr. Chair, I make a motion to
2 issue a letter of instruction.

3 CHAIR FERVIER: We have a motion to issue a
4 letter of instruction. Is there a second? Motion fails
5 for lack of a second. Chair would entertain another
6 motion.

7 MEMBER GRUBBS: I have on my notes after
8 having reviewed this case that it be referred to the
9 Attorney General's Office.

10 CHAIR FERVIER: For -- what reason behind
11 that?

12 MEMBER GRUBBS: Violations of OCGA 21-
13 2-381(a)(1)(C)(i), et cetera, and (ii), pre-filling out
14 the absentee ballot applications for these electors.

15 CHAIR FERVIER: We have motion to send this to
16 the AG. Is there second?

17 VICE CHAIR JOHNSTON: Second.

18 CHAIR FERVIER: We have motion and a second to
19 send this -- SEB2023-056 to the AG. Any discussion?

20 VICE CHAIR JOHNSTON: Only discussion is in
21 this case, the investigative report states that she was
22 assisting with valid applications -- for multiple
23 applications -- and she had been informed that she was
24 required to assist, but apparently, the practice
25 continued, therefore I would --

1 CHAIR FERVIER: We have motion to send this to
2 the -- motion to second to send this to the AG. Any
3 further discussion? Hearing no discussion, all those in
4 favor signify by saying aye.

5 (Ayes were heard.)

6 CHAIR FERVIER: Any opposition? Hearing no
7 opposition, so moved by a vote of three to zero. Next
8 item on the agenda is SEB2023-060, MacIntosh County,
9 City of Darien.

10 MR. MILLS: The Georgia Secretary of State
11 Office received a complaint alleging that Susie May
12 Edwards received assistance from completing her absentee
13 ballot during the November 7th, 2023 general election
14 where an individual who assisted Ms. Edwards was
15 identified as William H.A. Collins, who was a candidate
16 on the ballot of the city council, North Ward City -- in
17 the City of Darien.

18 CHAIR FERVIER: Is Mr. Collins here by any
19 chance?

20 MR. COLLINS: Yes, sir. I'm William Collins.

21 CHAIR FERVIER: You -- I'm sorry?

22 MR. COLLINS: I'm William Collins.

23 CHAIR FERVIER: Okay. Please proceed.

24 MR. COLLINS: Oh, yes. I think what I didn't
25 add in the letter that I sent -- that Ms. Edwards is a

1 97-year-old lady and I have assisted her in paying her
2 bills and different other things. She's a -- well
3 actually, a part of the family, we say a friend of the
4 family, but her husband is a relative of my maternal
5 grand -- paternal grandmother.

6 And -- but I did not realize that I did
7 anything illegal as far as -- because I did not help her
8 with the ballot. I just assisted her in signing the
9 ballot. And, like, I usually help her pay her bills and
10 some she gets money orders, some, she uses her
11 checkbook. And all she asked me to do is put my finger
12 on the line because she -- you know, sight isn't there.
13 And she, you know, just draw, you know, the line and she
14 signs it. And that's what I did with the ballot. But I
15 did sign that I had assisted her because I assisted her
16 with signing, but she had already done her -- you know,
17 filled out the ballot.

18 CHAIR FERVIER: Is she visually impaired?

19 MR. COLLINS: Yes, she is.

20 CHAIR FERVIER: And how impaired is she?

21 MR. COLLINS: She cannot see -- like I said,
22 on -- you know, I can point up to the line and she can
23 follow my finger, but just to see and read, she can't do
24 that.

25 CHAIR FERVIER: And you help her with other

1 kinds of daily activities also?

2 MR. COLLINS: Yes, I do.

3 CHAIR FERVIER: Okay. Any questions for Mr.
4 Collins:

5 MEMBER GRUBBS: And I just --

6 CHAIR FERVIER: I'm sorry?

7 MEMBER GRUBBS: I just wanted to verify, you
8 were a candidate on the ballot at the time, correct?

9 MR. COLLINS: Yes. I was running on the
10 polls.

11 MEMBER GRUBBS: So was there possibly anyone
12 else that could have assisted her, considering that you
13 were -- I mean, you were unopposed. I get that. But do
14 you know that someone else could have assist her at that
15 time?

16 MR. COLLINS: A grandchild could have. Yeah.
17 But I don't know. I know she -- I -- I remember taking
18 her magnifying glass and some of the things, she can
19 kind of see with the magnifying glass, so.

20 MEMBER GRUBBS: Thank you.

21 CHAIR FERVIER: Now, are there -- is there
22 anybody else that helps her on a regular basis besides
23 you? Are you, like, the primary person who assists?

24 MR. COLLINS: I'm the primary person. Yeah.
25 For some reason, she -- she trusts me.

1 CHAIR FERVIER: Any other questions for Mr.
2 Collins?

3 VICE CHAIR JOHNSTON: Mr. Collins, the
4 Election Code says that a candidate is not eligible to
5 assist voters. Are you aware of that?

6 MR. COLLINS: At that time, I was not aware of
7 that.

8 VICE CHAIR JOHNSTON: But you are now?

9 MR. COLLINS: Yes, I am.

10 CHAIR FERVIER: And I appreciate the letter
11 you sent. Thank you.

12 VICE CHAIR JOHNSTON: Thank you.

13 CHAIR FERVIER: It was a great help to me.

14 MR. COLLINS: Thank you.

15 CHAIR FERVIER: So -- and the fact you drove
16 all the way up here makes difference for me too, so I
17 appreciate that. Any further questions for Mr. Collins?
18 The chair would entertain a motion.

19 MEMBER KING: Yeah. I make a motion that we
20 issue a letter of instructions so that you have it in
21 writing for future reference.

22 CHAIR FERVIER: We have a motion to issue a
23 letter of instruction. Is there a second?

24 VICE CHAIR JOHNSTON: Second.

25 CHAIR FERVIER: We have a motion and a second

1 to issue letter of instruction per the discussion.

2 Hearing no discussion all that's in favor of issuing a
3 letter of instruction signify by saying aye.

4 (Ayes were heard.)

5 CHAIR FERVIER: Any opposition?

6 Meanwhile, just want to say, Mr. Collins, do
7 you understand where the letter of instruction is,
8 correct?

9 MR. COLLINS: Yes.

10 CHAIR FERVIER: So it's just telling you what
11 the proper procedure is, okay?

12 MR. COLLINS: And I appreciate it.

13 CHAIR FERVIER: Thank you, Mr. Collins.

14 MR. COLLINS: Thank you so much.

15 Next item on the agenda is 2024-221, Chatham
16 County Election Night Results.

17 MR. PRETORIUS: Good morning. I'm Andre
18 Pretorius, P-R-E-T-O-R-I-U-S, with Chatham County.

19 MR. MILLS: You want me to read anything?

20 CHAIR FERVIER: Yeah. Me too.

21 MR. MILLS: The Secretary of State's office
22 opened this investigation after it was reported that on
23 general election night, November the 5th, 2024, there
24 was a delay in reporting that advance voting results in
25 Chatham County.

1 MR. PRETORIUS: That is correct.

2 CHAIR FERVIER: And the response of Chatham
3 County -- you're here, Mr. Pretorius, to --

4 MR. PRETORIUS: Yes.

5 CHAIR FERVIER: -- respond to --

6 MR. PRETORIUS: Yes. I have Ms. Wooten
7 (phonetic) and Mr. German (phonetic) here if you need
8 any questions from them as well. The issue that
9 happened in that night was that the machine itself was
10 not shut down correctly and it resulted in our voting on
11 that day -- the vote -- the day -- the day's voting that
12 day, that went through just fine. And in the past, even
13 if you didn't close it down correctly, the votes would
14 still be uploaded and it would be fine.

15 But on this day because the votes -- because
16 the machine wasn't shut down properly, the votes
17 wouldn't upload because of a software change. At that
18 time, we self-reported to the Secretary of State to say
19 that we weren't able to upload or get the votes in. You
20 could see the votes on the screen, but it wouldn't print
21 out the votes. And so what we did is we called the
22 Secretary of State's office.

23 VICE CHAIR JOHNSTON: I'm sorry. What screen
24 are you talking about?

25 MR. PRETORIUS: When they upload -- when they

1 put in the -- the thumb drive, the -- the memory card,
2 when they put that in, it will show that the votes are
3 there, but it won't give us a printout to show that the
4 election votes are there.

5 VICE CHAIR JOHNSTON: On the election
6 management server?

7 MR. PRETORIUS: Yes. And so because of that,
8 we call the Secretary State and say, Look. We can't
9 close that. We were done very early that day. And so
10 the problem was, we reported that we aren't able to get
11 the votes in on time because it -- we have this issue.
12 To follow the Secretary of State's guidance -- they told
13 us that we need to go in and close out every one of the
14 early voting machines because that's the only problem
15 that we have is the early voting machines. So we closed
16 those out and then we were able to upload those votes.
17 So those were late.

18 So self-report on that. We were asking for a
19 dismissal on that because we followed the Secretary of
20 State's guidance. They didn't tell us to do anything
21 other than close out those machines and then upload
22 those votes again, and -- which we did. So we're also
23 --

24 VICE CHAIR JOHNSTON: Could you tell me which
25 machines you're talking about?

1 MR. PRETORIUS: The early voting ones.

2 VICE CHAIR JOHNSTON: The early voting ballot
3 scanner --

4 MR. PRETORIUS: Yes.

5 VICE CHAIR JOHNSTON: -- tabulators?

6 MR. PRETORIUS: Yes. Correct. And so based
7 on that, I know there was an issue that the tabulator
8 receipts weren't printed out. And what we -- what I've
9 done for you guys is I printed out our daily voting log.
10 And it -- on there, it shows the check-ins for each of
11 those polling places for early voting, and then it has a
12 daily check-in for each one of those tabulators that we
13 have. So it's for each polling place, each machine, we
14 have the daily tabulator I -- I provided. Yeah.

15 And so you'll see we have a daily vote, daily
16 tabulator receipt that shows exactly every day what the
17 votes were. So the only one that we do not have is the
18 final one. And because of the -- the way that things
19 happened that night and based upon the Secretary of
20 State's instructions, we followed what they told us to
21 do. And so at that time, prior to certifying the
22 election, we then printed out those tabulator tapes and
23 certified that election.

24 As part of that as well to show that there is
25 no issue and that that issue has been corrected about

1 closing it out, the last pages on your packet will show
2 that we have corrected that issue, that it's no longer
3 an issue and that we do now completely close out the
4 machine before we submit those. And so we believe that
5 we have done everything correctly since that. We
6 believed we were doing everything correctly on that
7 night as well. The problem was that with the software
8 change that had happened, that it would just -- would
9 not accept the votes that we had even though we had done
10 everything correctly.

11 On top of that, you also have in your packet
12 -- the Secretary of State requires us to do a hand count
13 of one of the tabulator machines. And so when you go
14 through the very last packet, you will see that we have
15 this audit tally sheet where we -- where they randomly
16 pick one tabulating machine that -- from the early
17 voting where we have to hand count everything. So there
18 -- it shows that everything was done correctly and
19 because the votes numbered and counted and hand counted
20 in that case showed exactly that the machine's -- that
21 specific machine had the correct votes on it.

22 So based upon the daily check-in log, based
23 upon the daily tabulator tapes that were signed by the
24 poll workers there, that the mistake that we made on the
25 last day by not signing that receipt that final day was

1 just a mistake. And so we're just asking that if it
2 could be a letter of instruction to continue on with the
3 way that we are currently doing it based upon the --
4 that last packet you see that we're currently doing it
5 correctly -- or a dismissal based upon us following the
6 Secretary of State's guidance that night.

7 VICE CHAIR JOHNSTON: Could Ms. German come --

8 MR. PRETORIUS: Yeah.

9 VICE CHAIR JOHNSTON: -- for some questions?

10 CHAIR FERVIER: Is Mr. Wooten here too?

11 MR. PRETORIUS: He is here.

12 CHAIR FERVIER: Yeah. Mr. Wooten, if you'd
13 come up forward, too, please.

14 MR. PRETORIUS: And I did bring the original
15 tapes since you requested those. I have them here. We
16 also have a chain of custody log showing that -- when
17 the memory cards were pulled and then given to the Board
18 of Elections on each one. So if you would like any of
19 those, I can provide those.

20 VICE CHAIR JOHNSTON: If I might ask Ms.
21 German to walk me through Election Day. And because
22 you're the registrar, right? Registration?

23 MS. GERMAN: Correct.

24 VICE CHAIR JOHNSTON: So you're -- and Chatham
25 County, you're in charge of early voting and absentee

1 voting; is that correct?

2 MS. GERMAN: Correct.

3 VICE CHAIR JOHNSTON: Okay. So if you'd walk
4 me through what happened that day with the ballot
5 scanners, the tabulators. Because you were in charge of
6 those when they came in from the early voting sites; is
7 that correct?

8 MS. GERMAN: Correct.

9 VICE CHAIR JOHNSTON: Okay.

10 MS. GERMAN: So on the last day of early
11 voting, basically, we just closed the machines down. We
12 did not end the election. And so therefore, on the
13 Election Day, we took the voting machines over to the
14 Elections Office. And then at that point, that's when
15 the Elections Office normally uploads the information
16 and do the tabulation. And then that's when the error
17 occurred. We found out that there was an error. We
18 have done it that way previously, ever since we had the
19 machines. And so there was no problem until that
20 particular night. So that's pretty much --

21 VICE CHAIR JOHNSTON: So on Friday at the end
22 of early voting, you bring the -- audit -- the 23
23 tabulators back to your office, right?

24 MS. GERMAN: Correct.

25 VICE CHAIR JOHNSTON: Or your warehouse.

1 Okay. And are -- do they stay -- are they shut -- are
2 they powered down but not closed?

3 MS. GERMAN: Right. They're not.

4 VICE CHAIR JOHNSTON: Correct?

5 MS. GERMAN: Yes.

6 VICE CHAIR JOHNSTON: Okay. So no tapes have
7 been printed out on Friday?

8 MS. GERMAN: No, ma'am.

9 VICE CHAIR JOHNSTON: Or Saturday?

10 MS. GERMAN: No, ma'am.

11 VICE CHAIR JOHNSTON: Or Sunday?

12 MS. GERMAN: No, ma'am.

13 VICE CHAIR JOHNSTON: Or Monday?

14 MS. GERMAN: No, ma'am. We don't -- once we
15 close the machines, we don't -- on that Friday,
16 everything is pretty much -- the memory card is taken
17 out of the machine and they're brought back to our
18 office. And then nothing is done with that information
19 until Tuesday morning when we take it over to the
20 Elections Office. And so those are in a locked room.
21 We have a coded door in which all of that stuff is
22 stored.

23 VICE CHAIR JOHNSTON: Okay. So the memory
24 cards are taken out of the machines, the ballot
25 scanners, on Friday?

1 MS. GERMAN: Yes, ma'am.

2 VICE CHAIR JOHNSTON: Are they taken out at
3 the poll -- at the early voting site or --

4 MS. GERMAN: Yes, ma'am.

5 VICE CHAIR JOHNSTON: -- is there an office.

6 MS. GERMAN: Yes, ma'am. At the early voting
7 site. They close it down on Friday.

8 VICE CHAIR JOHNSTON: Okay. Is there a chain
9 of custody?

10 MS. GERMAN: Yes, ma'am. I think --

11 MR. PRETORIUS: Yes. I have those right here,
12 Judge. I can --

13 VICE CHAIR JOHNSTON: And who keeps those
14 memory cards over the weekend?

15 MS. GERMAN: The Voter Registration Office
16 does.

17 VICE CHAIR JOHNSTON: You do?

18 MS. GERMAN: Yes, ma'am.

19 VICE CHAIR JOHNSTON: Okay. And are they
20 locked?

21 MS. GERMAN: Yes. They're in a locked --

22 VICE CHAIR JOHNSTON: They're secure?

23 MS. GERMAN: Yes.

24 VICE CHAIR JOHNSTON: Okay. And so -- and
25 when do you take them to Mr. Wooten?

1 MS. GERMAN: On Tuesday morning.

2 VICE CHAIR JOHNSTON: On Tuesday morning. And
3 is there a chain of custody form that's filled out for
4 that transfer?

5 MS. GERMAN: Yes, ma'am.

6 VICE CHAIR JOHNSTON: To the election
7 director, Mr. Wooten. Okay. Were there any issues or
8 any -- or -- that you had during early voting with the
9 machines or with the tabulators during early voting?

10 MS. GERMAN: Not as I can recall, ma'am.

11 VICE CHAIR JOHNSTON: No. Okay. All right.
12 Thank you.

13 All right. So Mr. Wooten?

14 MR. PRETORIUS: I -- I will -- I will add, I
15 know that she said this and I just want to correct the
16 transfer -- record, whatever we have. There are
17 tabulator tapes for the day of, but it's done in the
18 morning when they open up the election -- the polling
19 place. So you will have in your packet the -- the
20 tabulator tapes that were ran and signed that morning
21 prior to early voting starting on that Friday, so.

22 VICE CHAIR JOHNSTON: Right. You're talking
23 about --

24 MR. PRETORIUS: Yes.

25 VICE CHAIR JOHNSTON: -- the status tapes?

1 MR. PRETORIUS: Correct. And there are --

2 VICE CHAIR JOHNSTON: And when the -- when the
3 tabulator is turned on --

4 MR. PRETORIUS: Yes. Correct.

5 VICE CHAIR JOHNSTON: -- a status tape is
6 printed out.

7 MR. PRETORIUS: That is correct.

8 VICE CHAIR JOHNSTON: And what's on that
9 status tape?

10 MR. PRETORIUS: It shows them votes up until
11 that point. So every -- yeah. So every day -- every
12 day they do that, it will run a tape that says, This is
13 how many votes we currently have on the machine. And
14 the only other thing is, I believe when you look at that
15 there are -- for one polling site, there is a tabulator
16 tape that was run at the end. I think it was the civic
17 center ones. So there is one that was signed on the
18 night after. So when you look through that, you will
19 see one of them that was done afterwards.

20 VICE CHAIR JOHNSTON: I'm sorry. What was
21 done after?

22 MR. PRETORIUS: So when the machine was
23 closed, there was one -- I think from one polling site,
24 there was one that was printed and signed on that Friday
25 when the election closed.

1 VICE CHAIR JOHNSTON: At the civic --

2 MR. PRETORIUS: I'm not exactly 100 percent
3 sure, but I believe when you look through that, you will
4 see that.

5 VICE CHAIR JOHNSTON: At the civic center?

6 MR. PRETORIUS: I believe, yes.

7 VICE CHAIR JOHNSTON: Is that also named
8 Eisenhower?

9 MR. PRETORIUS: No. The civic center is the
10 one that's downtown at the landfill. I mean Savannah.

11 VICE CHAIR JOHNSTON: Okay. So it was
12 tabulated on -- at the end of early voting rather than
13 on Election Day?

14 MR. PRETORIUS: I wouldn't say it was
15 tabulated; it was just whoever closed that machine or
16 printed one out.

17 VICE CHAIR JOHNSTON: The three tapes printed
18 out?

19 MR. PRETORIUS: Yes. I believe that for one
20 of those sites they did have that. Yeah.

21 VICE CHAIR JOHNSTON: What did they do with
22 the tapes?

23 MR. PRETORIUS: It was -- it's in that packet.
24 It was turned into the -- to early voting --

25 VICE CHAIR JOHNSTON: Turned in to Ms. German?

1 MR. PRETORIUS: Yes.

2 VICE CHAIR JOHNSTON: Okay.

3 MR. PRETORIUS: Correct.

4 VICE CHAIR JOHNSTON: And then Ms. German,
5 what did you do with those tapes?

6 MR. WOOTEN: Are you asking me?

7 MR. PRETORIUS: No. Ms. --

8 VICE CHAIR JOHNSTON: No. Ms. German.

9 MR. WOOTEN: I'm sorry.

10 VICE CHAIR JOHNSTON: I'm sorry.

11 MS. GERMAN: Once we received all of the
12 information back in the office -- when all of the sites
13 deliver the information, we have a coded door in a room
14 in which we store all of that election material in until
15 that Tuesday when we take it over to the Elections
16 Office.

17 VICE CHAIR JOHNSTON: Okay. All right.
18 So Mr. Wooten, I can ask you. You retired,
19 right?

20 MR. WOOTEN: I did.

21 VICE CHAIR JOHNSTON: All right. So Mr.
22 Wooten, tell me what you did on Election Day with these
23 early voting memory cards.

24 MR. WOOTEN: We accepted the memory cards. We
25 did a chain of custody form. We accepted them and we

1 had published that we would early tabulate as of 6:00
2 p.m. And so we started our early tabulation and the --
3 the screen of the election night reporting server was
4 showing the votes were go -- you know, on each card. We
5 didn't realize until we started to do the download that
6 they were not -- they -- they were there, but they would
7 not download into the election night reporting system.

8 And we tried several kind of -- of
9 troubleshooting things and we couldn't come up with
10 anything. So we -- I -- I called the State and talked
11 with staff at the State, talked with Blake and others
12 there, and they suggested that the best way to get the
13 results -- in other words, our -- our goal at that
14 moment became, let's get the results. The -- we had
15 90,000 early votes. Let's get -- what's the -- what's
16 the process we need to get these results into the system
17 and reported so that people can see these votes, you
18 know, on TV and, you know, so that it's properly done
19 and -- and so that we can produce our election night
20 reports as well.

21 And so the State suggested that we set up a --
22 a scanner there in our server room and that we insert
23 the memory cards and close those cards or close that
24 election on those cards and then re -- re -- you know,
25 input those cards into the election night reporting

1 system. When we did that, everything reported fine.
2 And it took us -- you know, I talked to the State before
3 8:00. It took us until midnight to get that done.

4 VICE CHAIR JOHNSTON: Okay. And so what you
5 realized was the memory cards, that those had not been
6 closed out?

7 MR. WOOTEN: That is -- that's correct.

8 VICE CHAIR JOHNSTON: Okay. And so what did
9 -- did you take them back to the -- their scanner
10 tabulators and close them out on the scanner tabulators?

11 MR. WOOTEN: No. We -- the State suggested
12 that we use two scanners that we have there in our
13 building. So we used two scanners there and just input
14 those and closed them on scanners that we had, that the
15 Elections Office had.

16 VICE CHAIR JOHNSTON: So you opened the polls
17 that -- you opened the early voting on one scanner, but
18 you closed the early voting on different scanners?

19 MR. WOOTEN: Yes, ma'am.

20 VICE CHAIR JOHNSTON: So how do you know if
21 the votes are true that are -- can -- that show up are
22 correct. Because you don't have the zero.

23 MR. WOOTEN: Well, the -- the memory cards are
24 -- are -- haven't been -- they've been -- once they were
25 removed, they were in custody under the lock and key at

1 the registrar's office. Then she transferred custody to
2 me and we put them in the vault until we started to --
3 up to -- until we started the early tabulation at 6:00.
4 And so that -- and the scanners that we have there in
5 our building had no memory cards in them and had
6 nothing. There was nothing on them. They had not been
7 used for the election.

8 VICE CHAIR JOHNSTON: Okay. And so you close
9 them out on different scanner tabulators with different
10 protective count numbers, but if -- were there any other
11 issues? Did the -- did it work find after you closed
12 it?

13 MR. WOOTEN: It worked. Everything worked
14 fine.

15 VICE CHAIR JOHNSTON: Okay. All right. Well
16 I have some questions about this and I have some slides
17 I'd like to ask about. Because as I reviewed the
18 opening and closing tape, I noticed several things.

19 Can you put these slides up?

20 Next slide.

21 All right. So we're talking about ballot
22 scanners, tabulators, all the same thing. And with
23 that, a memory card goes with each tabulator and there's
24 a serial number for each scanner. It's like -- we had
25 this talk last month. It's like the EIN on the card.

1 It's like -- it's the identifier for that scanner.

2 And on that scanner is a protected counter and
3 that counter is used to validate the votes that have
4 been cast, the ballots that have been cast on the
5 scanner. It's like the car odometer, okay? It's the
6 one that just keeps running and tells you how many
7 thousands of ballots have gone through that scanner.

8 The zero tape is the empty ballot box. It's
9 what you do at the start of your trip. It's your zero
10 miles or zero ballots cast. And the reason that you're
11 supposed to close it out on the same scanner, tabulator
12 is because you want to know the end trip of -- the end
13 count, the end number of votes or ballots cast. And of
14 course, that tape is reviewed and signed and certified.

15 That's the only certification that is
16 discretionary in elections. Other certifications are
17 considered ministerial according to the Court, but this
18 is the one where the poll manager and the assistant
19 managers can elect to sign or not sign if they deem that
20 there is some irregularity.

21 Next slide, please. Next slide.

22 Ballots. There are two State Election Board
23 rules pertaining to the memory cards. One is -- you see
24 the first one, it says, The memory card shall remain in
25 the ballot scanner at all times during the advanced

1 voting period until the polls close on the day of the
2 primary election or runoff.

3 The other rule is: The election
4 superintendent or tabulating center personnel, which
5 would be you, Mr. Wooten, shall cause each ballot
6 scanner to print a minimum of three tapes showing the
7 vote totals cast on that ballot scanner. Not a
8 different ballot scanner, but that ballot scanner.

9 Next slide, please.

10 Here are some of the tapes. And I have plenty
11 of tapes to show you. These are two sets of paired
12 tapes. And I'm sorry the print -- it's too small for
13 most of you to see. But for those that you have a
14 screen that's closed up, you can see on the left side,
15 two tapes are -- oh. This is one area set up. Just
16 have the top and the bottom of the tape.

17 The top identifies the scanner, the protective
18 counter number, the date that it was printed. The tape
19 just to the right of that has the signatures and you see
20 their certification? It's verifying that these are
21 zero. That's zero tape. And then the one to the right
22 of that --

23 Sean?

24 Yeah -- is the closing tape. And it has the
25 ballot ID. It's the same ID as the opening standard ID.

1 And you see that it has the poll open on November 5th,
2 poll closed on -- this is an Election Day tape, and it's
3 closed on November 5th.

4 And scroll down a little more, please.

5 And one can see that, indeed, that the unit
6 serial number for the scanner is the same as it was for
7 the opening scanner. And the protective counter has
8 incremented 258 votes. And so you see the protective
9 counter increased by 258. And then you see that there's
10 a poll, closed date and a time, November 5th, 7:33.

11 Next slide, please.

12 In your early voting, you had 23 ballot
13 scanner tabulators, 23 memory cards. This is for
14 November 5th, advanced voting.

15 Next slide, please.

16 Advanced voting is over on the 11th, so you
17 should have 23 zero tapes and 23 closing tapes that
18 match.

19 Next slide.

20 What I found was, we said there was one that
21 was closed on October 21st, one closed on October 23rd
22 -- which means tabulation occurred on those dates. And
23 I just have a question of why that happened. And then
24 three were closed on November 5th, which is Election
25 Day. One was closed late -- late, late on the 6th,

1 actually. It was in middle of ninth. So you said it
2 took that late -- that long.

3 But oddly, I found that 17 of these tabulator
4 tapes say that the poll was closed on November 13th.
5 That's eight days after the election. And I just did
6 not understand why they were closed eight days after the
7 election early -- and they were printed. That's even
8 after certification. So I have a question about that.

9 The next slide, please.

10 This is an example of Ballot Scanner 1, ID
11 950. Poll opened on 10-15. That's the first day of
12 early voting. Poll closed on 11-13. I don't understand
13 that. And also, the problem of -- the tabulator memory
14 card was closed on different ballot scanners. That is a
15 break in the chain of custody. Protective counter is
16 invalid and it makes the vote total unverified.

17 Next slide, please.

18 Same thing. The -- this, the poll closed -- I
19 think this is probably indicative of the poll closing
20 early. We closed on 10-21 because the -- no. It just
21 placed -- it seemed to have been placed early, but also
22 breaking the chain of custody.

23 Next slide.

24 These are two different ballot scanner
25 numbers, break -- again, breaking the chain of custody

1 and this says the poll was closed on the 5th, but the
2 report was printed on the 13th. I just didn't
3 understand why it was printed on the 13th, November
4 13th.

5 Next slide. Next one.

6 Okay. Same thing. Same thing. Next slide.
7 Same thing. Same thing.

8 Just keep going. Next slide.

9 So these polls are closed on the 13th.
10 They're open on the 15th, which is the first day of
11 early voting, but they're closed on the 13th. And so --

12 Next slide.

13 And I just consolidated A, B, and X. There
14 were three scanners, six of the tapes. So you must have
15 taken a memory card out -- it got full -- and replaced
16 it with a new memory card. Because there are three
17 ballot scanners and six open and closed tapes. And you
18 notice the SEB rule at the bottom, two rules.

19 Next slide. Next slide. Next slide.

20 Same thing. Same thing. So could you help me
21 with that, the answering the question of why they were
22 closed on different scanners and the date of closing was
23 November 13th?

24 MR. WOOTEN: Well, we -- we closed on
25 different scanners because that's what Secretary of

1 State's office told us to do so that we could
2 successfully get our results entered, we'd be able to
3 print our election night reports. And so that's what we
4 did. The 11-13, I believe that date we were preparing
5 to send our data to the Secretary of State's office,
6 which is required where we -- we send copies of all of
7 our forms. And when we were gathering all of that in
8 the area, we realized that we didn't have closing tapes
9 from the early voting timeframe. So we -- we on the
10 election side went in and produced those closing tapes
11 for the early voting time period so that they could be
12 submitted to the Secretary of State.

13 VICE CHAIR JOHNSTON: What happened to the
14 tapes?

15 MR. WOOTEN: We never received tapes. We
16 didn't get tapes, see, because they didn't -- they did
17 not run -- I'm not speaking for the registrar, but we --
18 we did not receive tapes. You -- she might want to
19 answer.

20 VICE CHAIR JOHNSTON: Oh. I thought you said
21 you printed out tapes when you realized that the -- they
22 wouldn't upload it to the election management server.

23 MR. WOOTEN: No. We -- we got them uploaded
24 into this server, yes. But we did not print tapes.

25 VICE CHAIR JOHNSTON: I thought you --

1 MR. WOOTEN: If we did --

2 VICE CHAIR JOHNSTON: I thought you just said
3 you closed the polls out on these other scanners.

4 MR. WOOTEN: We -- we did close the polls out
5 on the other -- and -- and was -- and Ms. Johnston, if
6 we had -- if tapes printed, I did not see them. It did
7 not -- did not happen.

8 VICE CHAIR JOHNSTON: When you closed the
9 polls --

10 MR. WOOTEN: I agree with you.

11 VICE CHAIR JOHNSTON: -- it automatically
12 prints out three tapes.

13 MR. WOOTEN: I agree with what you're saying.
14 But the -- you know, in the -- in the -- in -- if I can
15 use this term, the fog of the election, trying to get
16 everything done and -- and trying to correct, you know,
17 the error so we could get the results done and -- and
18 such and such. I don't -- I don't really have an answer
19 for the -- the tapes that would have printed out on
20 election night between 9:00 p.m. and midnight.

21 I just know when I went to my materials, I did
22 not -- did not have tapes. I knew that the registrar's
23 office did not provide me with tapes. So we then took
24 -- we -- we still had those memory cards locked in the
25 vault. And so we -- we took -- we took them out and

1 printed tapes.

2 VICE CHAIR JOHNSTON: You took them out -- oh,
3 on the 13th?

4 MR. WOOTEN: Yes, ma'am.

5 VICE CHAIR JOHNSTON: But you -- you're -- you
6 claim that there were no tapes produced when the polls
7 were closed on the different scanners?

8 MR. WOOTEN: You mean during early voting?

9 VICE CHAIR JOHNSTON: From the early voting
10 tabulators, yes.

11 MR. WOOTEN: I can't speak to that. Ms.
12 German could.

13 MS. GERMAN: Could you repeat the question?

14 VICE CHAIR JOHNSTON: I would like to see the
15 closing tapes from Election Day that were run when the
16 memory cards were closed out on these different ballot
17 scanners.

18 MS. GERMAN: On the last day of early voting,
19 we did not print any tapes, ma'am. I believe I stated
20 that earlier, that we did not print any tapes on the
21 last day of early voting.

22 VICE CHAIR JOHNSTON: You didn't print any
23 tapes and Mr. Wooten did not print any tapes?

24 MR. PRETORIUS: You said that they
25 automatically print. So I don't know if automatically

1 they printed. What I can tell you is that -- that we
2 don't have any record of them -- of having a printed
3 version of it until we had to redo it on the 13th. So
4 we do not have that specific one, no.

5 MEMBER KING: So what did you certify? What
6 did you certify?

7 MR. WOOTEN: Well, we -- we printed the SOBC.
8 The -- all the results were entered into the system. We
9 printed the SOBC. We printed the summary. We -- we did
10 our reconciliation process. We reconciled the check-ins
11 and balanced that with text. Our -- our election
12 reconciled fine. There were very, very small
13 discrepancies. And that's -- that's what we -- that's
14 what we always use to certify.

15 MEMBER GRUBBS: Well, I'm super confused here.

16 First of all, thank you, Dr. Johnston, for the
17 wonderful presentation. Was that sent by the SOS
18 investigator, or did you do that on your own?

19 VICE CHAIR JOHNSTON: I did that on my own. I
20 had a feeling.

21 MEMBER GRUBBS: So the public can understand,
22 there's two of you here, and can you explain your
23 relationship and who's responsible for what? Because I
24 think that might be confusing to the public.

25 MR. WOOTEN: Chatham County has a -- we have a

1 split system. The voter registration, Board of
2 Registrars is a separate county department. The Board
3 of Elections is a separate county department. Up until
4 last month, I led the Board of Election. Sabrina German
5 is the registrar, and she leads the Board of Registrars.

6 MEMBER GRUBBS: So she's doing registration,
7 but she's also doing advanced voting, correct?

8 MR. WOOTEN: Because it's considered absentee.

9 MEMBER GRUBBS: Okay. So I'm a little -- I'm
10 really baffled by this whole situation of how you
11 certified the election when you don't even print poll
12 tapes.

13 MR. WOOTEN: Well, I mean, I print tapes on
14 Election Day and I -- I do all of the processing of
15 absent -- absentee ballots and counting of them. We
16 also take custody of the memory cards from the
17 registrar, and we tabulate those. So on the -- on the
18 election side, we tabulate and -- and count and then
19 reconcile and consolidate and present that report to the
20 Board of Elections for them to consider and talk about
21 and question before they vote to certify.

22 MEMBER GRUBBS: So Ms. German, you do advance
23 voting. And do you -- was this out of the ordinary that
24 you don't print all the tapes, or was -- is this a
25 routine practice?

1 MS. GERMAN: It was routine. We've never had
2 a problem or an issue prior to 2024.

3 MEMBER GRUBBS: Why was 2024 different?

4 MR. WOOTEN: It was a software change that
5 resulted in -- in the votes not being able to print and
6 be printed. That's what we learned from the Secretary
7 Safe's office. There was sent a new software. That was
8 -- the election --

9 MEMBER GRUBBS: What -- new software on what?

10 MR. WOOTEN: On the election night reporting
11 software change?

12 MEMBER GRUBBS: Oh. You're talking about the
13 -- but how does that affect the tabulator spraying poll
14 tapes?

15 MR. WOOTEN: It -- well, it -- it doesn't --
16 it doesn't affect that, it affected that the -- that the
17 results would not upload into the new ENR system. That
18 -- that was the theory of -- the State said. That -- I
19 mean, we were working on a theory at this point in time,
20 as you know.

21 MEMBER GRUBBS: So when you're -- when you're
22 -- you know, and I understand you have a lot going on.
23 I mean, elections is very demanding, and people are
24 waiting and they're going, Where's my results? And I
25 understand all that. But you've got the election night

1 reporting system that you are having issues with. It
2 would seem to me that you might want to reference back
3 to the full tapes to verify, you know, like, what are we
4 doing here? What -- you know, there's got to be a paper
5 -- you know, this is why everybody loves papers because
6 you have a backup system to actually hold in your hand
7 just like up here when we couldn't connect to the
8 internet, and, you know, we have our digital notebooks
9 up here. Well, thank goodness I'm turning my backup. I
10 don't understand how full tapes are not printed until
11 eight days later after certification.

12 MR. WOOTEN: Well, the tapes are just one
13 portion of that. There are multiple ways to verify the
14 numbers without having to use a tape, so.

15 MEMBER GRUBBS: So the chain of custody
16 doesn't matter?

17 MR. WOOTEN: Well, we have a chain of custody
18 of what happened to the memory cards. We have a daily
19 tabulation.

20 MEMBER GRUBBS: You said -- we have memory
21 cards that you've taken out of the scanners.

22 MR. WOOTEN: We have the daily --

23 MS. GRUBB: And you close them out on other
24 machines.

25 MR. PRETORIUS: Yes. Yes, ma'am. But we also

1 have the daily check-in account numbers that show how
2 many people voted, came in and checked in to vote on
3 each day of early voting we had. So to verify that
4 would just be that simple. You know how many people
5 voted on that day and you verify that the numbers that
6 were given increase by that much. We do it daily.

7 MEMBER GRUBBS: And what do you cross check
8 that with.

9 MR. PRETORIUS: With the daily tabulator tapes
10 that we printed out that you all have in front of you.
11 We -- we provided them to you. Yeah. There's daily
12 ones for each machine.

13 MEMBER KING: This is -- this is for that
14 election?

15 MR. PRETORIUS: Yes.

16 MEMBER KING: This is not -- no, this is not
17 --

18 MR. PRETORIUS: No, no, no. The other one.
19 There's a thick packet that I provided that goes to each
20 one of those that has the check-in and the tabulator
21 tapes for each machine daily that was done.

22 MEMBER GRUBBS: Yeah. We just got this this
23 morning.

24 MR. PRETORIUS: Yeah. I know.

25 MEMBER GRUBBS: All of this, we just got this

1 morning.

2 MR. PRETORIUS: Yes. Because that wasn't what
3 was requested from our office.

4 MEMBER GRUBBS: Well, I understand. But we're
5 talking about the November 5th, 2024 election.

6 MR. PRETORIUS: Yes.

7 VICE CHAIR JOHNSTON: So I understand you're
8 talking about the number of ballots cast on the
9 tabulators and your accounting for that.

10 MR. PRETORIUS: Uh-huh.

11 VICE CHAIR JOHNSTON: But how did you know
12 what votes for cast for what candidates, the tabulation
13 of the -- of the election without running the tapes and
14 printing out the votes counted for each candidate? You
15 don't have that on a status tape. That's not on a
16 status tape or even a closed or even an open tape.

17 MR. WOOTEN: We -- we could see that on our --
18 on our screen. When we put the memory card in, we could
19 see the votes. It just wouldn't download them.

20 VICE CHAIR JOHNSTON: Well, where are they
21 recorded?

22 MR. WOOTEN: They're recorded on -- on the --
23 on the memory card.

24 VICE CHAIR JOHNSTON: Well, you said you could
25 see them. If they report -- I can't see what's on a

1 memory card.

2 MR. WOOTEN: But then we printed our SOBC, our
3 statement of votes cast printed that night and our
4 summary.

5 MEMBER KING: So to certify it you're the
6 board has to take your word for it when it comes to the
7 memory card and what they've seen, and then match
8 whatever you said to the cast vote record. And, like, I
9 -- I'm confused as to how a board can certify or did
10 certify this election having not seen any evidence
11 whatsoever of what you're saving.

12 MR. WOOTEN: Well, they saw a lot of evidence.

13 MEMBER KING: Well, they didn't see a
14 tabulator tape.

15 MR. WOOTEN: They -- well, but they -- they
16 saw all the recaps.

17 MEMBER KING: But you're telling me that the
18 memory card -- because it's on the memory card you -- so
19 you told them what was on the memory card?

20 MR. WOOTEN: No. I gave them the SOBC, which
21 is printed from the memory card. The results on the
22 memory card --

23 MEMBER KING: Is this -- is this your normal
24 process?

25 MR. WOOTEN: It has been --

1 MEMBER KING: This what you normally do?

2 MR. WOOTEN: You -- you always print the SOBC
3 and the summary from the results that come off the
4 memory cards.

5 MEMBER KING: We always have closing tapes.
6 But do you normally not have closing tapes?

7 MR. WOOTEN: For Election Day, we -- we have
8 closing tapes for every -- every stand for Election Day.

9 MEMBER KING: No. I mean all of them. So --
10 so you just have -- so just Election Day, you have
11 closing tapes?

12 MR. WOOTEN: Well, they're the ones that I can
13 speak to.

14 MEMBER KING: Is this normal practice in
15 Chatham County? Is this normal practice versus just
16 this election?

17 MR. WOOTEN: Well, we haven't had this problem
18 since.

19 MEMBER KING: Is this the normal practice?

20 MR. WOOTEN: No. I would say no. We haven't
21 had it since, and we didn't have it before.

22 MEMBER KING: So it was only on this election
23 --

24 MR. WOOTEN: Yes.

25 MEMBER KING: -- that this error occurred?

1 MR. WOOTEN: Yes.

2 MEMBER KING: And you don't see it as an error
3 because you had other means of verifying?

4 MR. WOOTEN: Yes.

5 MEMBER KING: The tape custody does matter.

6 MR. WOOTEN: If -- if we'd have had -- if we'd
7 have had any type of a ballot or vote discrepancy, I
8 would have reported that to the State and I would have
9 in all likelihood requested that we re-scanned the
10 ballots. But we didn't. When we did our reconciliation
11 process, we started that immediately looking at the
12 number of check-ins, the number of ballots that were
13 spoiled, the number of people that check in and then
14 didn't cast a ballot. In other words, there's a
15 reconciliation process you go through and you balance
16 that against the number of ballots that were cast.

17 MEMBER KING: Well -- because you don't have
18 any closing tape on election night. Then how do you
19 know that there wasn't anything that took place between
20 the election night and the 13th when you closed the
21 tabulator, when you closed it?

22 MR. WOOTEN: We're still in balance. I mean,
23 we -- our -- our reconciliation process showed that we
24 were in balance and we're still in balance. And those
25 -- and the memory cards that we had were locked in the

1 vault.

2 MEMBER KING: So you just wrote the number
3 down off of the screen and it didn't print tape that
4 you've seen that -- that's error or something was wrong?
5 Why didn't they print a tape? Was it out of paper?
6 Like, what was -- is there not an explanation for that
7 at all?

8 MR. WOOTEN: I don't -- I -- I can't speak to
9 when we closed the polls out on election night so that
10 we could download the results. I never saw any tape.

11 MEMBER KING: You didn't ask for it?

12 MR. WOOTEN: I -- I'm -- I -- I will say that
13 that would have been something good for me to have done,
14 but as much as we had going on, it -- it was -- it was a
15 very -- once -- once we encountered this problem, it
16 became, let's -- let's get our results in and -- so we
17 can tell -- tell people what the local results are, so
18 the State will have what our results are and -- and, and
19 the national news as well.

20 VICE CHAIR JOHNSTON: How did a candidate know
21 how many votes they got from early voting if there were
22 no tabulator tape for them to look at?

23 MR. PRETORIUS: Well, I can say --

24 VICE CHAIR JOHNSTON: Was it printed on the
25 wall, or?

1 MR. PRETORIUS: I can say as a candidate in
2 that race. I did not -- I was not concerned that there
3 was any issue.

4 VICE CHAIR JOHNSTON: Are you sure you won?

5 MR. PRETORIUS: I won -- no. I did not win.

6 MEMBER KING: Did you -- you weren't
7 concerned?

8 MR. PRETORIUS: No. I was not concerned
9 because when I reviewed everything and I reviewed the
10 votes that were cast and I looked at what the results
11 were, I was not concerned.

12 MEMBER KING: Did every candidate get to do
13 that?

14 MR. PRETORIUS: Yes. Every candidate can.

15 MEMBER KING: Review everything that you
16 reviewed?

17 MR. PRETORIUS: I have the same -- because I
18 was a Republican candidate in a very heavily democratic
19 area. I can tell you that the person that was helping
20 my race helped at least three or four other candidates
21 in that race, and they had no concerns.

22 MEMBER KING: So you're saying because you
23 weren't concerned about your race, then we shouldn't be
24 concerned about the other candidates and what they were
25 --

1 MR. PRETORIUS: I'm not -- I'm not saying what
2 you should do. I'm just telling you what I --

3 MEMBER KING: Well, you jumped in as if that's
4 some type of, like, explanation as to why the other
5 candidates shouldn't be concerned as well. So I want to
6 know why, because that was -- or that was an unnecessary
7 comment. Because the fact is, all candidates should be
8 able to see how many votes they got.

9 MEMBER GRUBBS: Would you recommend your
10 process of doing things to the other 158 counties
11 instead?

12 MR. PRETORIUS: As I said, on this night, we
13 generally have everything done correctly. But based on
14 the fact of how it was that night and the -- the problem
15 that we had occurred and us speaking to the Secretary of
16 State --

17 MEMBER GRUBBS: Okay.

18 MR. PRETORIUS: We understood that we had made
19 a mistake --

20 MEMBER GRUBBS: Right.

21 MR. PRETORIUS: -- by not pulling that.

22 MEMBER GRUBBS: But I don't understand --

23 MR. PRETORIUS: I'm not saying that that
24 should be the process, no.

25 MEMBER GRUBBS: But for enhanced voting, I'm

1 still not under -- uploading to enhanced voting's
2 election night reporting system is different than
3 properly closing a poll.

4 MR. PRETORIUS: Correct.

5 MEMBER GRUBBS: And it's different from
6 breaking the chain of custody. It's different from
7 breaking election board rules on removing the memory
8 card and not printing the tabulator tapes. It is
9 different from not ensuring that there are zero --
10 zeroed tapes to begin with. There's, like -- it seems
11 to me there's, like, a whole lot of issues that are
12 completely different from uploading the election night
13 results.

14 MR. PRETORIUS: No. We had zeroed tapes.

15 CHAIR FERVIER: Correct. I -- this particular
16 case has to do with reporting election night results.
17 There are a lot of other things that need to be asked
18 and investigated. And so I would make the
19 recommendation that we open a new claim related to the
20 tapes themselves and investigate that and just rule
21 today on this reporting of election night results, and
22 then come back and address the tapes when there's more
23 information and we -- we're able to investigate it.

24 MEMBER KING: Yes. I would like to know what
25 happened.

1 MEMBER GRUBBS: Well, I don't -- and so the
2 investigator is not here. And then Mr. Belleau
3 (phonetic), I believe we asked if he could be here and
4 he couldn't be presently; is that correct? And so I
5 would like to -- I would just like to ask, as election
6 directors and that kind of thing, when someone from the
7 Secretary of State tells you something, do you verify
8 what law -- you know, if they -- if they tell you, you
9 know, to do whatever, you say, Can you please point me
10 to the election code and where that's allowable by law?
11 Did that -- does that ever come up, just out of
12 curiosity.

13 MR. PRETORIUS: If they do have an issue, they
14 would call, yes. The county attorney's office was --

15 MEMBER GRUBBS: I'm sorry?

16 MR. PRETORIUS: If they have an issue with
17 what they were doing, they would call our office and ask
18 if that is correct, if there is a law that allows them
19 to do what they're supposed to do, yes.

20 MEMBER GRUBBS: So the directors will say, Can
21 you verify that that's allowable per code?

22 MR. PRETORIUS: Yes. Correct.

23 MEMBER GRUBBS: So was there any communication
24 as far as these election night results where the
25 Secretary of State's office, you're allowed to do this

1 per code Section XYZ?

2 MR. PRETORIUS: The Secretary of State's
3 office told us to do -- no. What do you mean?

4 MEMBER GRUBBS: What I'm asking is, when
5 election directors have a question or have a process
6 issue and they call the Secretary of State's office and
7 say, Hey. We're having an issue with this and we're not
8 sure what to do. And the Secretary of State gives them
9 direction on what to do, did they say, You know, I just
10 want to be sure that we're staying inside the law. Can
11 you please cite the code section that allows us to do
12 this or the rule that allows us to do this?

13 MR. PRETORIUS: No. We assume that they know
14 what they're doing.

15 VICE CHAIR JOHNSTON: Okay. Mr. Chair?

16 CHAIR FERVIER: Yes.

17 VICE CHAIR JOHNSTON: The summary of this is,
18 the complaint was about election -- reporting election
19 night results late. Because of it, certainly begs the
20 decision of this board to open a new case and
21 investigate this with the concern that at least two
22 polling places, two tabulators were closed to early and,
23 I don't know, maybe not recognized or not wanting to be
24 reported.

25 We -- that's not proper. We just heard a case

1 about early tabulation, and it is a violation. And
2 actually, there were one -- there were six tabulators
3 that these memory cards were closed on that were not
4 what they were opened on. I can't remember what the
5 opening tabulators were.

6 So all of 23 -- well except two -- 21, because
7 two were closed early on the right ballot scanner. But
8 21 were closed on different standards, which is
9 problematic as far as chain of custody. It's obviously
10 a problem. And apparently, the Secretary of State,
11 there's a conflict with advice given by the Secretary of
12 the State.

13 The other issue is the date that these polls
14 were closed. And I'm still not clear whether they were
15 closed on Election Day or not and where the results came
16 from or whether the files that were pulled off of EMS or
17 election night reporting are the correct files or the
18 correct votes. I would like to open a new case. I
19 would like a number of voter list from this election and
20 I'd like to swap files from this equipment.

21 CHAIR FERVIER: Investigator Patton, would you
22 please get with Dr. Johnston after this and work on the
23 complaint, sir?

24 MR. MILLS: Mr. Chair, if I mad, I'd ask Vice
25 Chair Johnston, please consider in that Mr. Wooten

1 testified that he printed on a different scanner at the
2 counsel of the Secretary of State. We really need to
3 know if that allegation is true. We need to know who's
4 giving out that kind of wrong advice and not taking
5 their own recommendation for chain of custody procedures
6 serious, if that occurred. And if it didn't occur, then
7 fine. We -- we'll have to deal with it from the other
8 side. But that needs to be addressed.

9 MEMBER KING: And just be clear, the memory
10 cards have since been deleted, correct?

11 MR. PRETORIUS: Yeah.

12 VICE CHAIR JOHNSTON: But you have kept the
13 slot files. correct.

14 CHAIR FERVIER: Do we want -- do we want to
15 continue this particular case? No?

16 VICE CHAIR JOHNSTON: If we're -- we'll have a
17 new case number.

18 CHAIR FERVIER: And do you want to -- you want
19 to move on this case or continue it with a -- with a new
20 case number?

21 VICE CHAIR JOHNSTON: We can make it -- the
22 complaint in this case was election night reporting
23 results were late and could be decided. And the new
24 case could be opened --

25 CHAIR FERVIER: Yes.

1 VICE CHAIR JOHNSTON: -- to investigate the
2 inconsistencies in tabulator tapes.

3 CHAIR FERVIER: Chair will entertain a motion
4 on SEB2024-221, Election Night Results.

5 MEMBER KING: Shall I make a recommendation
6 that we issue a letter reprimand or not before a later
7 time?

8 CHAIR FERVIER: We have recommendation issue a
9 letter. We have motion to issue a letter of reprimand.
10 Is there a second?

11 MR. MILLS: I second.

12 VICE CHAIR JOHNSTON: Second.

13 CHAIR FERVIER: We have a motion and a second
14 to issue a letter of reprimand on SEB2024- 221. Any
15 discussion? Hearing no discussion, all those in favor
16 of signify by saying aye.

17 (Ayes were heard.)

18 CHAIR FERVIER: Any opposition? Hearing no
19 opposition, so moved.

20 Thank you. We'll be in touch with you on any
21 new case that might be open for this.

22 MR. PRETORIUS: All right. And I will have
23 those records in the county attorney's office if they
24 want to contact me. I have the original tape and
25 everything else if you need that.

1 CHAIR FERVIER: Mr. Wooten, is --

2 MR. PRETORIUS: I have the original tapes, and
3 I'll get this all and put it in my office in case
4 anybody wants to -- thank you.

5 CHAIR FERVIER: Mr. Wooten, it's turned to my
6 attention you've retired recently after how many years
7 of service?

8 MR. WOOTEN: Started as a poll clerk about
9 years ago.

10 CHAIR FERVIER: Thank you for your service.

11 VICE CHAIR JOHNSTON: Thanks for your service.

12 CHAIR FERVIER: Thank you for your service.

13 MR. WOOTEN: Thank all of you as well.

14 CHAIR FERVIER: We appreciate you. Thank you.

15 Okay. Next on the agenda is SEB 2024-114,
16 Appling County Buying Votes.

17 MR. MILLS: The Office of the Secretary of
18 State received the following allegation concerning the
19 June 19th, 2024 general primary in Appling County
20 Georgia. A Claire Jones alleged that Hamilton County
21 Sheriff candidate Linton Deloach was offering gifts and
22 payments for votes.

23 CHAIR FERVIER: Respondent -- is Linton
24 Deloach -- is Mr. Deloach here, by any chance?

25 Yes, Mr. Deloach. Please proceed.

1 MR. DELOACH: Those -- those things that are
2 listed -- those things --

3 CHAIR FERVIER: Would you introduce yourself
4 for the court reporter, please?

5 MR. DELOACH: Oh, I'm sorry. Linton Deloach.
6 Those -- those things that you see that are reported
7 right there was done by me. Well, I did give gifts, not
8 to individuals, but organizations for them to do what
9 they would want to do with them. I had no control over
10 who would win the door prize. I gave the door prize for
11 recognition, just name recognition when they -- as a
12 sponsor. I had no control. Somebody from out of town
13 could have won the prize or whatever the case may be.
14 Somebody underage could have won the prize. It was just
15 given as a donation to the organization.

16 CHAIR FERVIER: Did y'all make donations
17 throughout the year for a lot of different
18 organizations?

19 MR. DELOACH: Yes, sir. I did. Some to the
20 same one.

21 CHAIR FERVIER: Right. The findings were that
22 there were no potential violations in this case. The
23 chair -- unless there's further discussion, the chair
24 will entertain a motion.

25 MEMBER KING: Yeah. I make a motion to

1 dismiss this case.

2 CHAIR FERVIER: We have a motion to dismiss.
3 Is there a second?

4 VICE CHAIR JOHNSTON: Second.

5 CHAIR FERVIER: We have a motion and a second
6 to dismiss SEB2024-114, Appling County. Any discussion?
7 Hearing no discussion, all that's in favor, signify by
8 saying aye.

9 (Ayes were heard.)

10 CHAIR FERVIER: Any opposition? Hearing none,
11 so moved.

12 Thank you for making it here.

13 MR. DELOACH: Thank you.

14 CHAIR FERVIER: Dismissed. Next item on the
15 agenda is SEB2024-168, Appling County Poll Watcher
16 Issue.

17 MR. MILLS: The Office of the Secretary of
18 State received the following complaint during the May
19 21st, 2024 general primary advance voting period in
20 Appling County, Georgia. Wayne Kennedy alleged that the
21 Appling County Election Supervisor, Shonda Carter,
22 removed/disqualified him as a poll watcher.

23 CHAIR FERVIER: Respondent in this case is
24 Shonda Carter, Election Supervisor. Is Ms. Carter here?
25 Do what? Ms. Carter did not log in? Okay. Mr. Kennedy

1 did not log in. Okay. He was the complainant.

2 MEMBER KING: Oh, he's here.

3 CHAIR FERVIER: Oh. Mr. Kennedy is here?

4 MEMBER KING: Yes.

5 CHAIR FERVIER: All right. Mr. Kennedy?

6 MR. KENNEDY: Good afternoon. Well, this may
7 be a first. I've heard many, many cases, but I don't
8 believe I've ever heard one where a poll watcher was
9 disqualified. But I'm going to give it my best shot. I
10 -- I had some handouts for some key talking points that
11 I had provided this morning that was going to be given
12 to you so you might could follow along. Also, earlier,
13 I had emailed all the board members some documents that
14 I'm going to mention in this, key talking points so you
15 can follow along.

16 In that email is some emails -- is this slog
17 (phonetic) file where we're going address an issue. And
18 I've copied three pages of that slog file for you.
19 There's a -- a -- credential letters for poll watchers
20 where I'm on it. There's an affidavit. There's a
21 Facebook post, one of many Facebook posts. I just
22 copied one of them. And there's a 911 call audio that I
23 generated. I made the call so you can clearly hear. I
24 hope y'all will listen to it.

25 And there's two police body cam videos, which

1 -- you know, this -- this being two years old, sometimes
2 it's hard to go back and pull up what happened. So I'm
3 glad I did what I did, and it's on record for you to see
4 exactly what happened, so.

5 CHAIR FERVIER: Yeah. Our file's pretty thick
6 on this. Give me the one-minute briefing of exactly
7 what happened.

8 MR. KENNEDY: But what I'd like to do is go
9 through this two-page points that y'all should have a
10 copy of.

11 CHAIR FERVIER: I'm not sure you have to do
12 that.

13 MEMBER KING: I know.

14 CHAIR FERVIER: Tell me -- tell -- I mean, we
15 read this. Tell me -- you tell me in your own words
16 exactly what happened.

17 MR. KENNEDY: So I poll watched for years.
18 I'm a retired chief supervisor of nuclear plant. You
19 know, I -- I get it. I know what all and all is about.
20 So I've been poll watching for about three years. I've
21 been to some -- several state poll watcher training.
22 I've given poll watcher training. I've poll watched in
23 neighboring county and Chatham County.

24 So these -- this particular election, my
25 son-in-law was a candidate. And so I set up a tent

1 across the street from the elections board office
2 outside the 150-foot barrier. In the mornings, in the
3 afternoons, I would electioneer, auction, whatever you
4 want to call it for him. And then about 4:00, I'd go
5 over and poll watch for the last hour, watch them close
6 the poll, shut down the machine, count the ballot. You
7 know, they'd open the trash can. And I would do that
8 every day. But that -- up to about the ninth day of
9 advanced voting.

10 So on about the 10th day -- on the 10th day,
11 it come up a thunderstorm. So I went home. I come back
12 after the thunderstorm and went to put the top back on
13 my tent across the street. When I did, I looked up and
14 I saw the election supervisor's husband coming out of
15 the Elections Office across the street.

16 And he come up to me, and he said, Hey. I
17 want all this to stop, all this harassment of the poll
18 workers.

19 And I said, What do you mean?

20 He said, You know, the -- the girls are over
21 there saying I'm harassing them. And I went and
22 explaining my poll watcher duties. You know, I -- I
23 just go watch in the afternoons. I'm not harassing
24 anybody.

25 And then he said something about sexual

1 harassment and I said, Wait a minute. I said, You know,
2 I'm -- I'm -- I know where that's coming from. He's the
3 husband. And I've been -- nuclear industry, I know all
4 about that. I said, This is serious. You know, you're
5 -- I feel intimidated and harassed. So I said, Okay.
6 Wait a minute. So I picked up the phone, called 911. I
7 said, Hey. I need a witness.

8 But he carried on. He kept confronting me
9 about wanting it to stop, you know, and, you know, kind
10 of go along with what all his posts -- previous postings
11 all said. So I got 911 and she could hear him talking.
12 She said, I'll stay on the phone with you until the
13 officers get there. And she did.

14 So three officers showed up with the body cams
15 and they went with questions about what had happened.
16 So then we had a discussion, you know, and one of the
17 officers pulled him aside and talk to him and, you know,
18 and then she convinced him that it was probably not a
19 good thing to do for the husband to come over there and
20 confront me like that. He wanted to stop, you know,
21 what I was doing, poll watching.

22 I don't think he really understands poll
23 watching, you know, because one of his posts says, Oh.
24 This has been in our family for 30 years. You know,
25 they've been a supervisor and a previous supervisor in

1 an election for 30 years and they didn't want us poll
2 watchers -- so this went on for a few minutes and she
3 convinced him and he went back across the street and we
4 continued to talk.

5 Just in a few minutes, the election supervisor
6 come out the office with the Green Book, talked to the
7 officer and said, I'm going to disqualify him as a poll
8 watcher.

9 And she said, For what?

10 You know, for interfering with an election.

11 She said, Okay. So she confronted me. It's
12 on the table. So she said, Wayne, I'm disqualifying you
13 as a poll watcher.

14 And I asked her, For what? You know, what's
15 the reason?

16 Because She had -- she had done this in the
17 March presidential primary and she gave me a little two
18 -- two sentence thing where she said, This is your
19 warning for going behind the machines to get the
20 tabulator reading. So she knew there was documentation
21 generally required, but I wasn't even the one then that
22 went behind the D&B to get the tabulator. Another lady
23 was. But she give me the warning, the warning. She
24 give it to me.

25 And she said, Wayne, you're the leader. So

1 I'm giving your -- you the warning. And -- and the lady
2 that actually did the event didn't get anything. So she
3 knew there was an --

4 VICE CHAIR JOHNSTON: Mr. Kennedy. Mr.
5 Kennedy, right?

6 MR. KENNEDY: Yeah. Yeah.

7 VICE CHAIR JOHNSTON: We -- we've seen an
8 hour, two 30-minute videos of just what you're
9 describing.

10 MR. KENNEDY: Okay.

11 VICE CHAIR JOHNSTON: So you don't need to,
12 you know, go over this --

13 MR. KENNEDY: Good. But anyhow --

14 VICE CHAIR JOHNSTON: Again. We understand.

15 MR. KENNEDY: Okay.

16 VICE CHAIR JOHNSTON: And if -- I would ask if
17 there are any questions for Mr. Kennedy specifically.

18 CHAIR FERVIER: She admits that she removed
19 you as a poll officer, correct?

20 MR. KENNEDY: Well --

21 MEMBER KING: Well, she lied twice. She lied
22 twice.

23 CHAIR FERVIER: She lied but then she --

24 MR. KENNEDY: Well --

25 MEMBER KING: Only because it was body cams.

1 CHAIR FERVIER: Right. Right.

2 MR. KENNEDY: Well, the investigator called me
3 before he interviewed me and said, Hey. I'm confused.
4 You're still qualified, right?

5 I said, Yes. Because I went back in the next
6 day after this, after some had passed, and got my badge
7 in poll watching. I said, Well, am I qualified or am I
8 not? So -- and the board, the local board did nothing.
9 You know, I didn't get an apology, didn't get nothing.
10 But I felt intimidated. I didn't even go back and poll
11 watch the rest of that election. And because on
12 Saturday following that, the husband was right at the
13 Poll Pad behind the counter. And there's an affidavit
14 about it.

15 CHAIR FERVIER: You did not go back?

16 MR. KENNEDY: I did not go back. I felt
17 intimidated and harassed. And so I did not even go back
18 up there for my candidate, my son-in-law, and set the
19 tent. Because evidently, the husband, you know, he
20 wanted the poll watching to stop. And I didn't want to
21 create another scene, so I just didn't go back.

22 MEMBER KING: Is Ms. Carter still working
23 there?

24 MR. KENNEDY: No. And this -- that was in
25 this right here. She actually resigned twice. She

1 resigned.

2 MS. GRUBB: All right. This -- is there a
3 motion? Is there a motion?

4 MR. KENNEDY: If -- if I may make one other
5 comment. One of my comments initially was going to be
6 that we've had a similar instances of tabulating early,
7 and I've got it all documented here on that sheet I
8 handed y'all that --

9 CHAIR FERVIER: That would have to be a
10 different case.

11 MR. KENNEDY: It is another case, but it's
12 about to have expired -- two years expired. And we've
13 asked three times now that the board hear it, because
14 evidently the investigator is not getting a statement
15 from --

16 CHAIR FERVIER: What case -- what case number
17 is that?

18 MR. KENNEDY: That case number is 2024- 143.
19 And -- and we haven't -- we secured the documents. We
20 don't know if the documents have been secured. We've
21 asked.

22 CHAIR FERVIER: Okay. We'll look into --
23 we'll look into that.

24 MR. KENNEDY: We'd appreciate that.

25 CHAIR FERVIER: We'll do that.

1 MR. KENNEDY: And I mentioned it in mine
2 because that -- that tabulating early happened on day
3 eight. My getting disqualified happened on day 10. I
4 don't know if that's --

5 CHAIR FERVIER: We'll look into that case.

6 MR. KENNEDY: Because that was pretty serious
7 and it happened that close to me getting disqualified.

8 MEMBER KING: Yeah. Mr. Chair, I would make a
9 motion on this -- this case.

10 CHAIR FERVIER: To dismiss?

11 MEMBER KING: I'd would make a motion that we
12 issue a letter of reprimand to Ms. Carter, if you can
13 find her.

14 CHAIR FERVIER: We have an issue -- we have a
15 recommendation to issue a letter of reprimand on
16 SEB2024-168.

17 MEMBER KING: And her husband didn't work
18 there, right?

19 MR. KENNEDY: Pardon?

20 MEMBER KING: He wasn't -- her husband didn't
21 work there or anything?

22 MR. KENNEDY: No.

23 MEMBER KING: He was a --

24 MR. KENNEDY: He was a farmer. He actually
25 invited me to his farm.

1 CHAIR FERVIER: Is there a second?

2 VICE CHAIR JOHNSTON: I second.

3 CHAIR FERVIER: We have a motion to second.

4 Is there any discussion? Hearing no discussion, all
5 those in favor of issuing a letter of reprimand to
6 Opposition. Opposition. So the letter of reprimand
7 will be issued to Shonda Carter, signify by saying aye.

8 (Ayes were heard.)

9 CHAIR FERVIER: Any opposition? Hearing none,
10 there will be a letter of reprimand issued to Shonda
11 Carter.

12 MR. KENNEDY: Appreciate y'all's time.

13 CHAIR FERVIER: And we'll look for the other
14 case.

15 MR. KENNEDY: Thank y'all.

16 CHAIR FERVIER: Thank you for driving up here.

17 MEMBER KING: Okay. Yeah. They should have
18 just -- actively being investigated by that. So that's
19 right now. Or that case that you mentioned is being
20 investigated by the SOS of right now.

21 MR. KENNEDY: And that's been the case now for
22 over a year, year and a half. And within two months --

23 CHAIR FERVIER: We are -- we are rapidly going
24 through these cases.

25 MEMBER KING: Well, not if they're still

1 investigating it for two years.

2 MR. KENNEDY: Well, what we were told in a
3 phone call was, All that's needed is a statement from
4 the respondent, and it's not being provided.

5 MEMBER KING: And the other statement is going
6 to hold it?

7 MR. KENNEDY: Pardon me?

8 MEMBER KING: You're telling me it's going to
9 hold the case if they --

10 MR. KENNEDY: Well, we don't know, see. And
11 I'll go ahead and mention to you, Ryan Germany is her
12 attorney.

13 CHAIR FERVIER: Well, we'll look into this.

14 The next case in the agenda, SEB2024-191 was
15 dismissed earlier.

16 The next case would be SEB202 3-067, Bryan
17 County/Richmond Hill. 067.

18 VICE CHAIR JOHNSTON: I'll read it. There's a
19 complaint alleging on October 16th, 2023 incorrect
20 ballots were used to go -- first date in October 7th,
21 2023, general municipal election in Bryan County, city
22 of Richmond Hill, Georgia. Candidate Chris Sloss
23 (phonetic) is listed in the city council post 4 race
24 instead of the post 3 race where he should have been.
25 The complaint alleged that between 19 and 25

1 (indiscernible) incorrect ballots.

2 Allegation to investigating the election.
3 Complainant went back to vote his corrected city ballot
4 on November 2nd. He was refused. The poll told he
5 could not because he would be voting twice.

6 (Indiscernible) so election supervisor Olivia
7 Chapman (phonetic) on how to do it. Complainant was
8 able to return to vote the next day on November 1st.

9 CHAIR FERVIER: Respondent is the Bryan County
10 Board of Elections and Registrations and Olivia Chapman.

11 I take it you're here for Brian Kennedy.

12 MR. GILL: I am. My name is William Gill.
13 I'm here on behalf of (indiscernible) and the city. We
14 represent Bryan County. I -- thank you, Mr. Chairman
15 and the board. We respectfully disagree with the
16 conclusion that -- that the facts here amount to a
17 violation of OCGA 21-2-418. That statute applies to
18 whether or not -- when a provisional ballot must be
19 provided. And the statute itself identifies, really,
20 two circumstances in which a provisional ballot must be
21 provided. And that's when a person believes that
22 they're registered to vote in the -- in the certain
23 precinct but there is no record. Statute tells us we
24 need to provide a provisional ballot.

25 And then also, when you have the circumstance

1 -- and this is related -- when a person appears at a
2 precinct and -- and the records indicate that they're at
3 the wrong precinct, they're entitled to -- not just
4 entitled, we are required to provide a provisional
5 ballot.

6 That's not the circumstance here. As you saw
7 in the report, the circumstances, there was a -- an
8 error that was provided to Bryan County's election
9 superintendent where the wrong district was provided in
10 that election. That was found and identified on the
11 very first day of early voting, Bryan County/Richmond
12 Hill, which is the municipality in this election, was --
13 immediately went to the Secretary of State.

14 We were told, Hold off on these particular --
15 these particular ballots, that we would hold them.
16 Secretary of State would give us later direction on --
17 on how they would, like, us to proceed with these
18 particular ballots.

19 As you noted, there were -- there were less
20 than about 20 of these ballots or -- or just around 20
21 of those ballots. Bryan County did not receive any
22 notification until this individual appeared at the
23 ballot. And at the time that he appeared, we had not
24 seen any letter that had come from the City of Richmond
25 Hill. We had not heard anything from the Secretary of

1 State.

2 And so the -- the poll manager that was there
3 said, I'm -- I'm sorry. I can't-- I can't do anything.
4 I can't -- we've already passed one ballot. We
5 understand. We're waiting for direction from the
6 Secretary of State. But I can allow you to submit a
7 second ballot.

8 I should note, it's not just a municipal
9 election, it's on this ballot. It's also -- this Sloss
10 referendum is on the ballot as well. Sloss was not
11 implicated. So -- so there -- there are some -- there's
12 a little bit of question here on --on what kind of
13 ballot we are doing and what we are doing with these
14 prior ballots.

15 It, the City of Richmond Hill had issued
16 direction on that day to these 19 individuals that were
17 -- who had cast a ballot with the -- with the wrong
18 ballot information. Unfortunately, Bryan County hadn't
19 received that. We did not receive that until actually
20 our poll manager took down this individual's cell phone
21 number, asked him to go back to his house, take a
22 picture, send it to her cell phone so that she could see
23 it. Once we had it, Bryan County received it, called
24 Richmond Hill and realized that was the direction of the
25 Secretary of State.

1 Immediately after that, everybody who was --
2 who had this ballot issue was permitted to vote. This
3 was the last day of -- of early voting. There were
4 replacement votes. I believe that there were eight
5 people that did not replace their ballot or -- or issue
6 this new ballot.

7 So given the -- given the facts and the
8 circumstances, I -- from the -- from Bryan County's
9 perspective, we -- we could not issue a provisional
10 ballot. We did not have any -- have any direction.
11 This is not a circumstance for the individual. It was
12 misregistered or at the wrong precinct. We had -- we
13 already had a ballot.

14 And what -- from -- from our election
15 superintendent's perspectives, she can't allow somebody
16 to have two ballots. And so that was the direction and
17 that -- that was her conclusion. Frankly, that was the
18 conclusion that she reached to avoid having to be here
19 and have questions because she had someone with two
20 ballots. Happy to answer any other questions if -- if
21 there are any.

22 CHAIR FERVIER: Any questions from the board?

23 MEMBER KING: 13 votes was the --

24 MR. GILL: I -- I believe it was less than 10
25 that -- that were not replaced.

1 CHAIR FERVIER: There was nine.

2 MEMBER KING: Nine.

3 CHAIR FERVIER: 10 voters returned to vote.

4 Nine did not. There was a -- oh. There were 13 votes
5 between, yes.

6 MEMBER KING: 13, the --

7 CHAIR FERVIER: Yeah.

8 MEMBER KING: The first and second.

9 MR. GILL: That -- that's right.

10 MEMBER KING: Yes.

11 MR. GILL: Yes. So -- so the -- the delta
12 between the candidates was not enough that this would
13 have made a difference.

14 MEMBER KING: Okay.

15 CHAIR FERVIER: Any further questions from the
16 board? Chair would entertain a motion. Tell me again
17 why you think 21-2-14 doesn't apply?

18 MR. GILL: 21-2-14 applies to a person who
19 appears at a -- at a ballot stating in good faith belief
20 that he or she is timely registered to vote in such
21 county of residence in such primary election, and that
22 the person's name does not appear on the list of
23 registered electors.

24 His name did appear on the list of registered
25 electors, but he had already cast a ballot. And we were

1 just waiting for instruction on what to do with this --
2 with this second ballot, understanding that it was going
3 to have to be a second ballot, but not knowing what that
4 looks like.

5 MEMBER KING: You said they did not answer the
6 Sloss question?

7 MR. GILL: He did. I -- I believe that
8 everybody involved did answer --

9 MEMBER KING: Everyone did answer this
10 question?

11 MR. GILL: -- the Sloss question. Right.

12 MEMBER KING: This law passed?

13 MR. GILL: This law has passed, yes.

14 CHAIR FERVIER: Okay.

15 MR. GILL: By -- by a much larger margin than
16 -- than 18.

17 MEMBER KING: But you're sure it did.

18 MR. GILL: It -- it did. Yeah. And in those
19 provisional -- those -- those ballots originally were --
20 were treated as a -- as a vote for or against the Sloss.

21 MEMBER KING: I'm bringing this up because
22 when we heard the City of Oakwood case, there was a
23 Sloss on that one as well when there were additional
24 people that voted in that one. And that Sloss also
25 passed. And, you know -- and then we found out that the

1 attorney -- and this is a different case, Hall County,
2 but we found out that the attorney at the time was also
3 -- well, I'm sorry. The attorney of the county stopped
4 being the attorney and became a lobbyist for the Sloss
5 and then told the city that they were not to redo the
6 election.

7 That's a whole other case, but it was still
8 centers around this. That's why I'm asking about the
9 Sloss, because I'm wondering why there's another
10 scenario, so to speak, where there are individuals that
11 voted in the wrong race and there was Sloss on the
12 ballot and so it just -- it just seemed eerily similar.

13 MR. GILL: Well, I -- I think that happens and
14 it happens frequently because there's -- lost ballots
15 tend to be off-cycle with state elections. And so I --
16 I think that's not uncommon for there to be --

17 MEMBER KING: Well, the voters shouldn't be
18 off-cycle, right?

19 MR. GILL: Well, off-cycle -- so they're on
20 municipal cycles, right? It -- it was not a statewide
21 race in this case.

22 CHAIR FERVIER: The chair will entertain a
23 motion. Anyone? Anyone?

24 MEMBER KING: Still waiting. I know, because
25 -- I had a question, but. I am going to make a motion

1 to issue a letter of reprimand in this case, but I feel
2 like I want to send it to the AG, just -- not because I
3 think you did it wrong. I just -- I'm just not sure.
4 It just seems a little eerily similar. But I will make
5 a motion that we ensure letter of reprimand.

6 CHAIR FERVIER: We have a motion to issue a
7 letter of reprimand. Is there a second?

8 MEMBER GRUBBS: Second.

9 CHAIR FERVIER: We have a motion to second.
10 Any discussion? Hearing no discussion, all those in
11 favor of issuing a letter of reprimand on SEB2023-067,
12 signify by saying aye.

13 (Ayes were heard.)

14 CHAIR FERVIER: Any opposition? Hearing no
15 opposition, so moved.

16 Thank you, sir.

17 MEMBER KING: Only because it didn't affect
18 the outcome, so to speak.

19 CHAIR FERVIER: Which -- did anyone say --
20 which allegation was that related to?

21 MEMBER KING: Oh. That's --

22 CHAIR FERVIER: One had to deal with him not
23 receiving a provisional ballot.

24 MEMBER KING: Yeah. That's Allegation 2.

25 CHAIR FERVIER: Okay.

1 MR. GILL: And Allegation 2 -- so we -- this
2 county, Bryan County, did not make the mistake as to
3 whether -- as -- as to what district that was going to
4 that came directly from --

5 CHAIR FERVIER: Allegation 1. It's Allegation
6 1.

7 MEMBER KING: Yeah. Allegation 1 is the --

8 CHAIR FERVIER: Yeah. Allegation 2, the chair
9 will hear a motion on Allegation 2. Mr. Hunter
10 (phonetic) was not issued a provisional ballot.

11 MEMBER KING: I recommend you send a -- issue
12 a letter of reprimand as well for that.

13 CHAIR FERVIER: We have a motion for --

14 MEMBER KING: They were aware that they were
15 supposed to.

16 CHAIR FERVIER: We have motion to issue a
17 letter of reprimand. Is there a second?

18 MR. GILL: We were not -- we were not aware.

19 MEMBER KING: Well, you --

20 MR. GILL: We -- we had not produced anything
21 from the Secretary of State.

22 MEMBER KING: About issuing a provisional --

23 MR. GILL: About issuing -- right. We --
24 we -- the City of Richmond Hill has separately issued a
25 letter, but -- but my -- my client did not know of that

1 letter at the time. So it was just Mr. Hunter's ballot
2 that was impacted. As soon as Mr. Hunter texted our
3 poll manager, then we reached out to Richmond Hill and
4 -- and got a little bit more background on -- on why
5 people were coming back to vote twice.

6 MEMBER KING: I'll amend to a letter --

7 CHAIR FERVIER: Letter of instruction?

8 MEMBER KING: Yes.

9 CHAIR FERVIER: We have a motion -- amended
10 motion to issue a letter of instruction.

11 MEMBER GRUBBS: Second.

12 CHAIR FERVIER: There's a second. Any
13 discussion? Hearing no discussion, all those in favor,
14 signify by saying aye.

15 (Ayes were heard.)

16 CHAIR FERVIER: Any opposition? Hearing no
17 opposition, so moved.

18 Thank you, sir.

19 Next time The agenda is SEB 2024-237, Long
20 County Tabulation Issue -- Voter Left the Poll with a
21 Ballot.

22 MR. MILLS: The Office of the Secretary of
23 State received following complaint allegation concerning
24 November 5th, 2024 general election in Long County,
25 Georgia. Long County election supervision Sarisha Snell

1 self-reported two issues. The first was walking out of
2 the fire station polling place with a ballot. The
3 second involved a tabulation issue.

4 CHAIR FERVIER: The respondents are Sarisha
5 Snell, Long County and Karen Eichman Darrel -- Darl
6 (phonetic), precinct poll manager. Are either of those
7 individuals here? Any questions by the board on this
8 case? We have two issues here where the lady left with
9 her ballot.

10 VICE CHAIR JOHNSTON: She leaves with her
11 ballot. She returns with her ballot. They allow her to
12 scan the ballot when she returns.

13 CHAIR FERVIER: She left with her ballot by
14 accident, correct?

15 MEMBER KING: She didn't stuff it in her
16 purse?

17 CHAIR FERVIER: She didn't stuff it in her
18 purse. That's correct.

19 MEMBER GRUBBS: Ballot stuffing.

20 CHAIR FERVIER: So the potential violation was
21 that Sarisha Snell violated 23-1-12-119 in that she left
22 -- an elector was left at a ballot.

23 MEMBER KING: I think we're going to do it
24 separately --

25 CHAIR FERVIER: Yes.

1 MEMBER KING: -- to me.

2 CHAIR FERVIER: Because there's two of them.

3 MEMBER KING: Yeah. So I made a motion that
4 we issue a letter instruction to Ms. Snell. Oh, wait.
5 Sorry. Wait a minute. Wait a minute. That's the
6 supervisor.

7 CHAIR FERVIER: The --

8 MEMBER KING: Wrong person. Hold on.

9 CHAIR FERVIER: Sarisha Snell instructed her
10 to allow Ms. Olson to scan the ballot.

11 MEMBER KING: Yeah. No. No. I make a motion
12 we issue with a letter of reprimand to --

13 MEMBER GRUBBS: To Ms. Snell?

14 MEMBER KING: -- Ms. Snell. Because Ms.
15 Eichman wouldn't follow the instructions of her
16 supervisor.

17 CHAIR FERVIER: Right. She let her come back
18 in and scan the ballot. So a letter of reprimand on the
19 Issue Number 1. We have a --

20 MEMBER KING: It was just -- was it just this
21 one?

22 CHAIR FERVIER: Uh.

23 MEMBER KING: It was just this one person?

24 CHAIR FERVIER: Yes. On this issue, yes.
25 Apparently. We have a motion to issue a letter

1 reprimand on Issue Number 1. Is there a second?

2 MEMBER GRUBBS: Second.

3 CHAIR FERVIER: You have a motion to second.

4 Any discussion? Hearing no discussion, all those in
5 favor of issuing a letter of reprimand Issue 1, signify
6 by saying aye.

7 (Ayes were heard.)

8 CHAIR FERVIER: Any dissension? No. Hearing
9 no dissension, so moved.

10 MEMBER KING: Now, Ms. Eichman, when she was
11 following instructions, I mean, bad instructions.

12 CHAIR FERVIER: So the recommendation here is
13 that the -- Karen Eichman violated rule 183- 1-12-18
14 (4)(a) in that she had allowed a elector who name did
15 not appear on a list of voters, was not given on
16 provisional ballot, but they were allowed to vote on a
17 BMD by manual activation. And she failed to produce or
18 failed to have an elector execute a voter certificate.

19 MEMBER KING: Yeah. I make a motion that we
20 issue a letter of reprimand.

21 CHAIR FERVIER: We have a motion to issue a
22 letter of reprimand on Issue Number 2. Is there a
23 second?

24 MEMBER GRUBBS: Second.

25 CHAIR FERVIER: We have a motion to second.

1 Any discussion? Hearing no discussion, all those in
2 favor, signify by saying aye.

3 (Ayes were heard.)

4 CHAIR FERVIER: Any opposition? Hearing no
5 opposition, so moved. The next item on the agenda is
6 SEB2023-053, Mitchell County/City of Camilla Buying
7 Votes.

8 MR. MILLS: The Secretary of State received
9 the following complaint during the November 7th, 2023
10 general municipal election in the city of Camilla. And
11 there are approximately 16 -- 16 complaints. They're
12 all on your summary, so I won't read them all.

13 CHAIR FERVIER: There was found to be failure
14 to post timely on Allegation Number 8, and the other 15,
15 no evidence was found on -- I'm sorry? I'm just --
16 okay. The respondents are -- I think I'm getting hungry
17 and losing my mind here. The respondents are Cheryl
18 Ford, Superintendent, and City Attorney LaTonya Wiley in
19 the city of Camilla.

20 Hello, ladies.

21 MS. THOMPSON: Good morning. Alicia Thompson
22 with the City Attorney's Office.

23 CHAIR FERVIER: It -- it's no longer morning.

24 MS. THOMPSON: Good afternoon. Alicia
25 Thompson with the City Attorney's Office.

1 MS. PARKS: And good afternoon. Jacquita
2 Parks with the City Attorney's Office. And as you
3 correctly stated, Mr. Chair, we are here not on the
4 buying votes matter. I think that was one of the first
5 allegations that were listed. But we're here on
6 Allegation Number 8, that rose to the level of a
7 possible violation. And so we just want to make sure
8 the record is corrected on that note, that this is
9 related to Sunday -- notice for Sunday voting.

10 CHAIR FERVIER: Okay.

11 MS. PARKS: And as it's already been stated
12 during the 2023 general municipal election, the election
13 superintendent, Ms. Cheryl Ford, was experiencing some
14 staffing issues. And so she was not sure whether she
15 could staff for Sunday voting. And so Sunday voting is
16 committed, but it's not mandatory. So it is within her
17 discretion to have Sunday voting. But until she could
18 decide whether she had an adequate amount of staff, she
19 held off on posting that notice.

20 When it was discovered that she would -- would
21 be able to staff the election, she reached out to the
22 Secretary of State's office, knowing -- realizing that
23 there was a short issue with the notice provision -- and
24 asked for direction on the matter.

25 The Secretary of State's office couldn't

1 provide clarification on the matter, so she used her
2 reasonable judgment and went ahead and published the
3 notice for the Sunday election one day late. So again,
4 instead of that seven-day period for notice, she posted
5 it with six days remaining. She posted it -- she's
6 required to post it on the City's website. She posted
7 on the City's website, on the City's social media pages,
8 as well as the public access channel.

9 So she did, again, go to great means to ensure
10 that the public knew that the election was taking place.
11 But it did -- it was posted six days instead of seven
12 days ahead of time.

13 CHAIR FERVIER: You were 24 hours late?

14 MS. PARKS: 24 hours. Yes.

15 CHAIR FERVIER: Okay.

16 MEMBER KING: I made motion that we issue a
17 letter of instruction.

18 CHAIR FERVIER: On Allegation Number 8?

19 MEMBER KING: Allegation Number 8.

20 CHAIR FERVIER: We have a motion to issue a
21 letter of instruction on Allegation Number 8. Is there
22 any discussion? Is there a second?

23 MEMBER GRUBBS: Second.

24 CHAIR FERVIER: We have a motion on the second
25 issue -- letter of instruction on Allegation Number 8.

1 All those in favor, signify by saying aye.

2 (Ayes were heard.)

3 CHAIR FERVIER: Any opposition? Hearing no
4 opposition, so moved. A letter of instruction will be
5 issued on that allegation. Let's deal with the other 15
6 allegations. Are there any questions from this board on
7 the other 15 allegations listed? The chairman will
8 listen to a motion.

9 MEMBER KING: I make a motion that we dismiss
10 Allegations 1 through 6, 7 --

11 CHAIR FERVIER: Okay.

12 MEMBER KING: -- and 9 through 16.

13 CHAIR FERVIER: We have a -- we have a motion
14 to dismiss Allegations 1 through 7 and 9 through 16.

15 MEMBER KING: Yeah.

16 CHAIR FERVIER: Is there a second?

17 VICE CHAIR JOHNSTON: Second. Second.

18 CHAIR FERVIER: We have a motion and a second.
19 Any discussion? Hearing no discussion, all those in
20 favor, signify by saying aye.

21 (Ayes were heard.)

22 CHAIR FERVIER: Any opposition? Hearing no
23 opposition, so moved.

24 Are you staying for the next one too?

25 MS. PARKS: Yes, sir.

1 CHAIR FERVIER: Okay.

2 VICE CHAIR JOHNSTON: Your Honor, I -- the
3 Secretary of State received a complaint from Georgia
4 where it is alleged 20 to 25 voters did not receive a
5 proxy envelope with their absentee ballot. Thank you.

6 CHAIR FERVIER: You might -- you might as well
7 just say you did it.

8 MS. PARKS: Right. So this was an inadvertent
9 mistake. Of course, it was the first day of voting in
10 the general election so there was just a lot going on
11 within the City Hall that day. An individual -- the
12 individual who was the absentee ballot clerk, when she
13 was preparing the absentee ballot packages, she was
14 called to take care of a technical issue that occurred
15 with some -- some voters in the voting systems.

16 And she secured her packaging efforts and went
17 to remedy the issue and came back. And it's believed
18 that when she came back, she possibly missed out on a
19 couple of envelopes where the privacy envelope would
20 initially be inserted. She did not know that this
21 mistake took place until she received calls from voters
22 saying, I don't have a privacy envelope. And so they
23 instructed the voters to have -- secure their vote
24 within a white envelope and send that into the election
25 staff. And the general assembly in the Georgia code

1 actually had a cure for a similar issue. If election
2 staff receives a absentee ballot package and the
3 absentee ballot is outside of our privacy envelope,
4 they're instructed to cure it by putting that vote
5 inside a single envelope to be cast in the same vote.

6 So again, they understand that human error can
7 happen, whether it happens on the side of the staff or
8 whether it happens on the side of the voters. So again,
9 this was just an inadvertent accidental mistake that --
10 we suspect it was around probably three. But there was
11 also notice of maybe 20 to 25. But we're being told
12 that it's possibly three that called in to complain
13 about it.

14 CHAIR FERVIER: What have you done to correct
15 this?

16 MS. PARKS: So I -- the absentee ballot clerk,
17 she's aware of the issue. And I want to say that we're
18 going to ensure that she -- she'll go through training
19 and review the code and any procedure that governs
20 packaging of absentee ballots.

21 VICE CHAIR JOHNSTON: Mr. Chair, I have a
22 motion.

23 CHAIR FERVIER: Yes, Dr. Johnston.

24 VICE CHAIR JOHNSTON: I move that we dismiss
25 this complaint -- case.

1 CHAIR FERVIER: We have motion to dismiss
2 SEB2024-183. Is there a second?

3 MEMBER GRUBBS: Second.

4 CHAIR FERVIER: We have motion to second from
5 Member Grubbs. Any discussion? Hearing no discussion,
6 all of those in favor signify by saying aye.

7 (Ayes were heard.)

8 CHAIR FERVIER: Any opposition? Hearing no
9 opposition, so moved. We have motion -- Case
10 SEB2024-183 is dismissed.

11 MS. THOMPSON: Thank you.

12 MS. PARKS: Thank you.

13 CHAIR FERVIER: Thank you.

14 MS. THOMPSON: May we be excused?

15 MS. PARKS: Sorry. May we be excused?

16 CHAIR FERVIER: Yes, ma'am.

17 MS. PARKS: Thank you.

18 CHAIR FERVIER: Yeah. You don't -- you don't
19 live very far away, do you?

20 MS. THOMPSON: Yes.

21 CHAIR FERVIER: Safe travels. Next item on
22 the agenda is SEB2024-029, Baker County, Accessibility
23 for Elderly and Handicapped voters.

24 MR. MILLS: The Office of the Secretary of
25 State received the following complaint from the

1 Secretary of State's Inspector Monique Neal (phonetic)
2 on 3-12-24 during the general primary -- one in
3 performance of her duties as a polling situation or
4 polling station inspector, Inspector Neal observed the
5 following potential violations at the Newton Baptist
6 Church polling place located in Baker County, Georgia.
7 And it lists three there.

8 CHAIR FERVIER: Yes, sir. The respondents,
9 Baker County, Carla Heard and Nicholas Coker.

10 MR. BRITT: Yes. Mr. Chair and members of the
11 board, I'm Russell Britt, the county attorney for Baker
12 County here on behalf of the respondents. If I may,
13 I've got a photograph of the polling place because I
14 think a picture is worth 1,000 words.

15 So this alleged infraction deals with the
16 March 12th, 2024 general primary in Newton, Georgia.
17 The purported violation involves a rule that requires a
18 continuous unobstructed path from the parking for
19 handicap to the place of voting. And if you look at the
20 picture before you, you see the -- the church right
21 there, the doors by the first tree in the picture, that
22 is the polling place.

23 And because there's not a permanent handicap
24 spot at this location, the polling place historically
25 has placed a temporary handicap spot immediately in

1 front of that sidewalk that leads straight into the
2 door. So it's literally the closest parking spot for
3 elderly to be able to get into the -- to the room. Now,
4 it's hard to tell from the picture, but that street
5 actually is two lanes of travel plus the parallel
6 parking immediately next to the curb.

7 CHAIR FERVIER: Yeah. I -- I can tell by
8 looking, it violates ADA Code.

9 MR. BRITT: Well -- well, yes. So Mr.
10 Chairman, you know, right there is a curb. That is
11 correct. But if you look between the two telephone
12 poles approximately two car lengths away, there is a
13 slanted curve that allows a wheelchair to go up.

14 And so my position is, you know, technically,
15 there's not an unobstructed route for a wheelchair
16 because they could easily get out there and go down to
17 the ramp and then come back. However -- and -- and it's
18 also important to note, we're not talking about the
19 metropolis of Atlanta. We're not even talking about the
20 metropolis of Winder.

21 CHAIR FERVIER: I understand. I understand.
22 I mean, it's difficult, especially for older buildings,
23 for y'all to be able to comply with ADA code and all the
24 regulations and the -- and even that ramp probably isn't
25 sufficient, but it probably -- but, you know, the space

1 could have been closer to the ramp, which would have
2 made it more accessible than being so far away.

3 MR. BRITT: Yeah. It was for people with
4 wheelchairs.

5 CHAIR FERVIER: Yep.

6 MR. BRITT: But then you got to remember, for
7 elderly people that aren't necessarily in a wheelchair,
8 that puts it farther away. So it's a -- it -- that
9 creates an issue. But all that being said, when it was
10 reported to the election supervisor at the time, who's
11 no longer there, she immediately ordered a ramp, a
12 temporary ramp that is -- for every election since has
13 been placed right there at that sidewalk.

14 CHAIR FERVIER: So it's been fixed.

15 MR. BRITT: It has been fixed.

16 CHAIR FERVIER: Very good.

17 MR. BRITT: In addition to -- they just moved
18 to a new polling place that has permanent handicap spots
19 with easy accessibility. And also, there's no evidence
20 that anybody was prevented from voting on the election
21 in question. And so therefore, it's a no harm, no foul
22 situation.

23 CHAIR FERVIER: Yeah. We -- we've dealt with
24 this with other smaller counties that really have
25 limited facilities and they're unable to always meet the

1 ADA code. And I have way too much experience with ADA
2 code. The chair would entertain a motion.

3 MEMBER KING: Yeah. The chair. I make a
4 motion that we dismiss this case. We --

5 CHAIR FERVIER: Do we need to consider a
6 letter of instruction? I mean, a letter of instruction
7 just -- I mean, there's a violation. And it just --

8 MR. BRITT: I was really hoping for a
9 dismissal.

10 MEMBER KING: I know.

11 CHAIR FERVIER: We -- we've done that in the
12 past with other --

13 MEMBER KING: Okay. All right.

14 CHAIR FERVIER: And we did one up in --

15 MEMBER KING: That would my motion. I made a
16 motion to issue a letter of instruction.

17 MEMBER GRUBBS: Second.

18 CHAIR FERVIER: Yeah. Yeah. I mean, I-- I'm
19 just trying to be consistent what we've done in the past
20 with some other people.

21 MEMBER KING: I know. But I just -- the
22 reason why is because they rectified the situation.
23 When you look at the picture, it's almost impossible for
24 them to have done --

25 CHAIR FERVIER: We --

1 MEMBER KING: -- something unless they redo
2 full construction.

3 MR. BRITT: And this is a county --

4 CHAIR FERVIER: Do you -- do you recall the
5 case that we had in White County with Helen where they
6 also had the problem with handicap, and they rectified
7 that too? And I just -- I think we did --

8 MEMBER KING: Yes. I just learned -- I think
9 from my understanding in that case, they didn't -- it
10 wasn't something that was really hindering. They could
11 have addressed that earlier, they just didn't. And then
12 when they were called out about it --

13 CHAIR FERVIER: It's your motion. What would
14 you like?

15 MEMBER KING: I know. I -- I got to stand on
16 my -- I think that this should be dismissed.

17 VICE CHAIR JOHNSTON: Second.

18 CHAIR FERVIER: We have motion to dismiss and
19 a second. Any discussion? Hearing no discussion, all
20 of those in favor of dismissal, signify by saying aye.

21 (Ayes were heard.)

22 CHAIR FERVIER: Any opposition? Hearing no
23 opposition, so moved.

24 Thank you very much. You're dismissed.

25 MR. BRITT: Thank you. Thank you. I

1 appreciate it. Thank you for your service.

2 CHAIR FERVIER: Next item on the agenda is
3 SEB2024-023, Early County.

4 MR. MILLS: The Office of Secretary of State
5 received the following complaint on March 12th, 20 --
6 2024 on presidential primary in Early County. Early
7 County election supervisor Laconya Whitaker notified the
8 Secretary of State's Elections Division that she had
9 rejected four absentee ballots because of signature
10 mismatch on the oath envelopes.

11 CHAIR FERVIER: The respondent, Ms. Doris
12 Powell and Javius Powell.

13 I'm going to take a wild guess. Are you Doris
14 Powell?

15 MS. POWELL: I am.

16 CHAIR FERVIER: All right.

17 MS. POWELL: Good morning.

18 CHAIR FERVIER: You want to pull that mic down
19 a little bit more.

20 MS. POWELL: Okay.

21 CHAIR FERVIER: And please introduce yourself.

22 MS. POWELL: My name is Dora Powell.

23 CHAIR FERVIER: Please proceed.

24 MS. POWELL: My son is not here, could not
25 here, but he did send a letter at last minute. He is a

1 canine unit officer, and they had to do room checks or
2 building checks this morning. And he also has to have
3 training this afternoon in Forsyth. But he did send a
4 letter with his statement.

5 CHAIR FERVIER: Yeah. If you would just
6 summarize it real quick for us.

7 MS. POWELL: Okay. It just basically says, To
8 Whom It May Concern, I'm writing to provide a formal
9 statement to the board. First and foremost, I must
10 clearly state that I deny any intentional wrongdoing to
11 conspiracy -- or deprive the voting process. At no time
12 did my mother, Doris Powell, and I knowingly or
13 deliberately attempt to violate any voting laws or
14 procedures.

15 At the time of the absentee ballot process, I
16 was a fairly new law enforcement officer complying --
17 completing -- excuse me -- field training and transition
18 to solo patrol. My schedule was demanding with very
19 limited days off and frequently-changing shifts.
20 Additionally, I had not yet established a permanent
21 residence at my new location before voter registration
22 closed, which resulted in Early County remaining as my
23 primary voting jurisdiction.

24 Due to being approximately four hours away
25 across the state and just into a new job, I was unable

1 to return in person to complete the ballot. Initially,
2 my mother reviewed the absentee ballot on my behalf, and
3 I contacted her by phone and instructed her of how I
4 intend to vote because of -- my parents' address is
5 still my primary address. And because I was directly
6 communicating my voting choices, I believed at the time
7 that providing verbal consent was permissible.

8 So basically, we thought we were doing the
9 right thing. He was not able to do the process of him
10 voting. And we did -- we were unaware that we were
11 doing anything wrong.

12 CHAIR FERVIER: Ms. Powell, did you sign for
13 several people?

14 MS. POWELL: I have a disabled husband, a
15 disabled son, and Jarvis. I did sign for those.

16 CHAIR FERVIER: Well, I understand they're
17 disabled, but they're not able to sign for themselves?

18 MS. POWELL: They -- at -- I -- at the time,
19 they already -- and, you know.

20 CHAIR FERVIER: They were able to sign for
21 themselves. Why did you not let them sign for
22 themselves, then.

23 MS. POWELL: Oh. I didn't not let them. They
24 were, you know, right there and they just asked, you
25 know, Could you go ahead and sign it for me? I -- like,

1 I said, again, we did not know we were doing anything --

2 MEMBER KING: Wrong.

3 MS. POWELL: Yeah. We did not know that. We

4 --

5 CHAIR FERVIER: You understand that's a big
6 no-no, right?

7 MS. POWELL: We know now. We know now. Yes,
8 sir.

9 MEMBER KING: And, you know, you can always
10 sign that you assisted. Did you -- did you sign?

11 MS. POWELL: That was our -- we're not -- we
12 haven't been voting that long.

13 MEMBER KING: Okay.

14 MS. POWELL: And I, you know, read something,
15 signed it. And again, we thought we were doing it in
16 the right way. My apologies for not doing it that way,
17 but -- and it will not happen again. We were unaware we
18 were doing anything wrong. And we also explained that
19 to -- off -- the investigator, Mr. Perry, as well as Ms.
20 Laconya.

21 MEMBER KING: And these are all family
22 members?

23 MS. POWELL: Yes. Yes, ma'am.

24 MEMBER KING: All in the same house?

25 MS. POWELL: All of us stay --

1 MEMBER KING: Are you all --

2 MS. POWELL: You know, my husband is actually
3 here.

4 MEMBER KING: Are you all in the same house?

5 MS. POWELL: We are in the same house, yes,
6 ma'am.

7 CHAIR FERVIER: Who -- who's here with you?

8 MS. POWELL: My husband. The --

9 CHAIR FERVIER: Did you sign for him?

10 MS. POWELL: The disabled one, John Powell,
11 he's here.

12 CHAIR FERVIER: He's -- can he come to the
13 podium, please?

14 MS. POWELL: Yes, ma'am. Unfortunately -- and
15 my husband also -- the reason why I helped him is
16 because of the issue of not reading and writing well,
17 so. And my son is autistic, high-functioning, but
18 autistic.

19 CHAIR FERVIER: Now, Mr. Powell, I've been
20 married for 41 years, and my wife would never let me
21 sign anything for her. You have to explain this one to
22 me.

23 MR. POWELL: Explain? Explain?

24 CHAIR FERVIER: Yes. Did she sign for you?

25 MR. POWELL: Yes.

1 CHAIR FERVIER: Why didn't you sign for
2 yourself?

3 MR. POWELL: I -- I signed, but she showed me
4 what to do and I signed it.

5 MS. POWELL: You did.

6 MR. POWELL: But she -- she also read it out
7 for me, whatever I need done.

8 MEMBER KING: So you -- so you did?

9 MR. POWELL: So I give her permission.

10 MEMBER KING: Okay. So she read it to you?

11 MR. POWELL: Yes.

12 MEMBER KING: And you just told her that it's
13 okay to sign?

14 MR. POWELL: Yes.

15 MEMBER KING: Okay. But you can sign your
16 signature?

17 MR. POWELL: Yes.

18 MEMBER KING: Okay.

19 MR. POWELL: She only sign when I say she --

20 MEMBER KING: Okay.

21 CHAIR FERVIER: Any questions from the board?

22 MEMBER GRUBBS: So Ms. Powell, help me
23 understand. Gary Daniels and Sherlisa Daniels, are they
24 relatives?

25 MS. POWELL: My children.

1 MEMBER GRUBBS: Your children, okay.

2 CHAIR FERVIER: And they live with you?

3 MS. POWELL: They -- well, not now. Gary
4 still does, but Sherlisa does not.

5 MEMBER KING: They did at the time?

6 MS. POWELL: Yes.

7 CHAIR FERVIER: Did they live with you at the
8 time?

9 MS. POWELL: Yes.

10 VICE CHAIR JOHNSTON: Ms. Powell, you cannot
11 sign somebody else's signature. You --

12 MS. POWELL: I know that now. Yes, ma'am.

13 VICE CHAIR JOHNSTON: You can always sign as
14 assistant.

15 MS. POWELL: Okay. Okay.

16 VICE CHAIR JOHNSTON: And they can just put a
17 mark where the signature is if the writing is not good,
18 okay, unless you're a true -- so handicapped that they
19 can't even make a mark.

20 MS. POWELL: Yes, ma'am.

21 CHAIR FERVIER: Any further questions from the
22 board?

23 MEMBER GRUBBS: I just want to say, Ms.
24 Powell, I appreciate your passion of making sure
25 everybody votes and everybody exercises their right

1 vote. That warms my heart. But like Dr. Johnston said,
2 and, you know, Ms. King said, you can't -- you can't do
3 that. And I'm just restating that. I know you know
4 that, but just for other people's benefit as well, I
5 know sometimes it's frustrating when you're trying to
6 help someone vote. If it's a family member, you're
7 like, here, just let me sign it for you. You know, and
8 it just -- people don't stop and think about that. But
9 it's a very important thing. So thank you for being so
10 helpful with your family and letting them know how
11 important it is to vote. And that's very patriotic. So
12 thank you for that.

13 MS. POWELL: Yes, ma'am.

14 MEMBER GRUBBS: And I think you understand
15 that it's a big deal sign somebody else's name.

16 MS. POWELL: I --

17 MEMBER GRUBBS: Yes.

18 CHAIR FERVIER: Any further questions? The
19 chair would entertain a motion?

20 MEMBER KING: I make a motion we issue a
21 letter of instruction that clearly outlines the law and
22 the policies and what you can and can't do.

23 VICE CHAIR JOHNSTON: I second that.

24 CHAIR FERVIER: We have a motion and a second
25 to issue of letter of instruction for SEB2024-023. All

1 those in favor, signify by saying aye.

2 (Ayes were heard.)

3 CHAIR FERVIER: Any opposition? Hearing no
4 opposition, so moved. You know, I want to say that I
5 appreciate you coming. You know, if you hadn't shown up
6 today and explained your case, this probably would have
7 gone to the AG, you know.

8 MEMBER GRUBBS: The attorney general.

9 CHAIR FERVIER: The attorney general.

10 MS. POWELL: Okay. Yeah.

11 CHAIR FERVIER: Yeah. For further action
12 because a lot of people choose not to come and talk
13 about why they did what they did and, and the result
14 isn't always pleasant to them, so.

15 MS. POWELL: It was an honest mistake. Like I
16 said, we did not intentionally do anything. So I just
17 wanted to come in in person and say that, so.

18 CHAIR FERVIER: Thank you very much.

19 MS. POWELL: Thank you all.

20 CHAIR FERVIER: All right. Safe travels back.

21 MS. POWELL: Thank you.

22 MS. GRUBB: Thank you for being here.

23 CHAIR FERVIER: We also need to deal with
24 Javius Powell, who is the son who was not with her at
25 the time and called his mother and asked her to sign for

1 him.

2 MEMBER KING: Yeah.

3 CHAIR FERVIER: The chair will entertain a
4 motion on that.

5 MEMBER KING: Yeah. I make a motion we issue
6 a letter of instruction.

7 MEMBER GRUBBS: Second.

8 CHAIR FERVIER: We have a motion and a second
9 to issue a letter of instruction to Javius Powell. All
10 those in favor, signify by saying aye.

11 (Ayes were heard.)

12 CHAIR FERVIER: Any opposition? Hearing no
13 opposition, so moved.

14 You want a break now? 30 minutes?

15 Okay. The chair will entertain a motion to
16 break for a quick lunch.

17 MEMBER GRUBBS: I make a motion we --

18 CHAIR FERVIER: You have a motion? Do we have
19 a second?

20 VICE CHAIR JOHNSTON: Second.

21 CHAIR FERVIER: All those in favor, signify by
22 saying aye.

23 (Ayes were heard.)

24 CHAIR FERVIER: There are investigators' table
25 of places to eat. We'll have a 30-minute lunch break,

1 so please be quick. We will begin promptly at 10
2 minutes to 2:00.

3 (A recess was taken.)

4 CHAIR FERVIER: Call to order -- call to order
5 the afternoon session of the State Election Board.
6 We'll start with SEB2024-231.

7 MR. MILLS: The Secretary of State office
8 received a complaint alleging Stewart County posted its
9 advance voting results on Friday, November 1, 2024
10 before the November 5th general election, Election
11 Supervisor Alfreda (phonetic) Hudson self-reported the
12 incident.

13 CHAIR FERVIER: The respondents are Stewart
14 County Board of Elections and Registration and Alfreda
15 Hudson, Superintendent. Anybody from Stewart County
16 here? No. Any questions from the board on this case?

17 VICE CHAIR JOHNSTON: Just for the record,
18 Stewart County has a population of 5,300 and has one
19 early voting site. So Stewart County posted results of
20 early voting from one early voting site early.

21 CHAIR FERVIER: On November the 1st instead of
22 the 5th.

23 VICE CHAIR JOHNSTON: That's the end of --
24 yeah. That was the end of early voting.

25 CHAIR FERVIER: It's a violation, essential

1 violation of two different rules. Any questions? If
2 you have questions, the chairman will entertain motion
3 on this case.

4 VICE CHAIR JOHNSTON: Mr. Chair, I move that
5 we issue a letter of reprimand to --

6 CHAIR FERVIER: We have a motion to issue a
7 letter of reprimand. Is there a second?

8 MEMBER GRUBBS: Second.

9 CHAIR FERVIER: We have motion to second.

10 MS. GRUBB: Second. Any discussion? Hearing
11 no discussion, all in favor of issuing a letter of
12 reprimand on SEB2024-231, signify by same aye.

13 (Ayes were heard.)

14 CHAIR FERVIER: Any opposition? Hearing no
15 opposition, so moved.

16 VICE CHAIR JOHNSTON: Mr. Chair, and just to
17 make a point, the posting -- the closing tape, the
18 tabulator tape from early voting, you're posting the
19 results of the election. And it's very clear in the law
20 that, you know, posting election results before election
21 was a clear violation. I think at some point in time, I
22 will start to reprimand referral to the attorney general
23 for infractions like this.

24 CHAIR FERVIER: This next item on the agenda
25 is SEB2025-027, Stewart County.

1 MR. MILLS: The Secretary of State's office
2 received a supp from Stewart County Election supervisor
3 stating that she conducted advanced voting for the June
4 17th, 2025 special election on Monday, May 26th, which
5 was Memorial Day.

6 CHAIR FERVIER: Alfreda Lowe (sic) was the
7 election supervisor. Is the respondent from Stewart
8 Board of Elections -- when I read this case, it seemed
9 to me that a calendar was sent out -- a previous
10 calendar was sent out by the Secretary of State saying
11 that they begin on the 26th, Memorial Day, and then an
12 updated calendar was sent later stating that -- begin
13 the day after Memorial Day.

14 So it was just a mix up where she didn't see
15 the second calendar until -- by the first one. So any
16 questions on this case? I mean, it sounds like a letter
17 of instruction or something like that. The chair will
18 entertain a motion.

19 VICE CHAIR JOHNSTON: Mr. Chair, I make a
20 motion to issue a letter of instruction to Stewart
21 County.

22 CHAIR FERVIER: We have a motion to issue
23 letter of instruction on SEB2025-027. Is there second?

24 MEMBER KING: Second.

25 CHAIR FERVIER: The motion second. All those

1 in favor, signify by saying aye.

2 (Ayes were heard.)

3 CHAIR FERVIER: Any opposition? Hearing no
4 opposition, so moved by three to zero. Next item on
5 agenda, SEB2024-012, Sumter County Failure to Deliver
6 Voting Materials to Clerk of Superior Court.

7 MR. MILLS: Deliver voting materials to Clark
8 Superior Court.

9 MR. MILLS: The Sumter County Board of
10 Elections and Registration reported that ballots from
11 the L&A testing and a ballot stub were found in a
12 storage facility.

13 CHAIR FERVIER: There is a statement in the
14 file from the attorney for Sumter County.

15 MEMBER KING: Okay.

16 CHAIR FERVIER: The respondent is Sumter
17 County Board of Elections and Randy Howard, supervisor.
18 Anybody here from Sumter County? Any questions from the
19 board? It appears -- it said that they found some
20 ballots from the L&A testing and a ballot stub, and it
21 was at a storage facility, not properly secured.

22 MEMBER GRUBBS: Mr. Chair, I see in the letter
23 that Randy Howard, who is the election supervisor,
24 requested a continuance until he gets further
25 information. Does anybody have any conversation about

1 that in the attorney letter dated February 12th?

2 Ms. Cohen, on Case Number SEB2024-012, Sumter
3 County --

4 MS. COHEN: Yes.

5 MEMBER GRUBBS: Failure to deliver voting
6 materials to the Clerk of the Superior Court. There's
7 an attorney letter from Hayden Hooks saying that Mr.
8 Howard would like to respond to the allegations, but
9 have it continued until -- he's not received due
10 process. So he requested the case be continued until
11 such time as the Secretary of State's office has
12 provided him with sufficient information for him to
13 respond to the allegations.

14 MEMBER KING: He was -- I -- I'll make a
15 motion. I'd like to make a motion to issue a letter of
16 reprimand and just let it be.

17 MEMBER GRUBBS: Okay. I'll second that.

18 CHAIR FERVIER: We have a motion to issue a
19 letter of reprimand and a second. Any further
20 discussion? Hearing no discussion, all those in favor
21 of issuing a letter of reprimand on SEB2024- 012,
22 signify by saying aye.

23 (Ayes were heard.)

24 CHAIR FERVIER: Any opposition? Hearing no
25 opposition, so moved. Next item agenda is SEB2024- 117,

1 Sumter County.

2 MR. MILLS: The Secretary of State's office
3 opened this investigation after it was reported that
4 during the general primary runoff election on June 18th,
5 2024, all polling precincts in Sumter County did not
6 have the correct poll worker access cards for the ballot
7 marking devices, machines. It was further discovered
8 the two polling precincts did not have the correct
9 number of emergency ballots and two polling precincts
10 were missing the ballot scanner box security key.

11 CHAIR FERVIER: The respondents are Sumter
12 County Board Elections LaSandra Patterson and Westland
13 Brown (phonetic), election technician. Is anybody here
14 from Sumter County? Any questions from the board?

15 VICE CHAIR JOHNSTON: This one was actually
16 very concerning to me about not having the access cards
17 and that kind of thing available and the -- their lack
18 of emergency balance. I really would like to hear from
19 Sumter County.

20 MEMBER KING: I would too.

21 CHAIR FERVIER: We can -- we can continue the
22 case. Is there a motion to continue?

23 VICE CHAIR JOHNSTON: Mr. Chair, I'll make a
24 motion that we continue this case until the March
25 meeting.

1 CHAIR FERVIER: We have a motion to continue

2 --

3 MEMBER KING: Second.

4 CHAIR FERVIER: -- SEB2024-117. Is there a
5 second?

6 MEMBER KING: Second.

7 CHAIR FERVIER: All those in favor, signify by
8 saying aye.

9 (Ayes were heard.)

10 CHAIR FERVIER: Any opposition? Hearing no
11 opposition, so moved that the case be continued. Next
12 item on the agenda is SEB2025-005, Sumter County Issues
13 with Tabulation to the Write-In Candidates.

14 MR. MILLS: The Secretary of State's office
15 received a complaint from Sumter County regarding
16 November 5th, 2024 general election where they had an
17 issue with the write-in balance for Soil and Water
18 Conservation District Supervisor Race. One qualified
19 write-in candidate received 1,750 votes in the election
20 when he should have received only 1,210. The winning
21 candidate's name was not listed on the election summary
22 report that was supposed to be transmitted to the
23 Secretary of State on election night.

24 CHAIR FERVIER: Yeah. This one was really
25 concerning to me because as you know, there's only one

1 write-in candidate that qualified. And they apparently
2 felt like they needed to give him all the votes.

3 MEMBER GRUBBS: Just give them all.

4 CHAIR FERVIER: So they did that.

5 MEMBER KING: I think we should
6 (indiscernible).

7 VICE CHAIR JOHNSTON: Can they --

8 CHAIR FERVIER: And Sumter -- let me see what
9 Sumter has. There was a statement from Sumter here.

10 MEMBER GRUBBS: There's -- it's from the same
11 attorney. And Ms. Patterson regrets her mistake. She's
12 asking for a letter of instruction. And this is kind
13 of, I think, symptomatic of more issues in Sumter
14 County. I think we need to make sure that -- I'm fine
15 with continuing this because this -- this is like a
16 fundamental non-understanding of adjudication. And just
17 because there's one candidate, you don't give them all
18 the votes.

19 MEMBER KING: Right.

20 CHAIR FERVIER: I would love to have Sumter
21 County here to answer some questions on that case, too.

22 MEMBER GRUBBS: Mr. Chairman, I'll make a
23 motion that we continue this case to March.

24 CHAIR FERVIER: We have a motion to continue
25 until March.

1 VICE CHAIR JOHNSTON: Second.

2 CHAIR FERVIER: Is there a second? And second
3 to -- all those in favor, signify by saying aye.

4 (Ayes were heard.)

5 CHAIR FERVIER: Any opposition? Hearing no
6 opposition, so moved.

7 Would you reach out to Sumter County and tell
8 them we would love for them to attend this instead of
9 just sending a letter. Thank you. The next item on the
10 agenda is SEB2024-068, Irwin County. That case has been
11 continued. The next item on the agenda is SEB2024-102,
12 Telfair County Procedure for Voting Absentee Ballots.

13 MR. MILLS: The Secretary of State's office
14 received a complaint from Telfair County Probate Judge
15 Elections Superintendent Michael Wesley reporting on May
16 16th, 2024, someone delivered five absentee ballots to
17 the Telfair County Registrar's Office. The absentee
18 ballots were pushed through the door frame prior to the
19 office opening. The Telfair County Registrar Office
20 notified the IT specialist and he was able retrieve the
21 images from the surveillance camera that showed the
22 person that pushed the absentee ballots through the
23 doorframe.

24 CHAIR FERVIER: Respondents in this case are
25 Alice Strong, Charlene Williams and Barbara Ann Quinn.

1 This is another interesting case for me because I'm very
2 familiar with Lumber City and that area down there. I
3 have been to it many times and I -- I can easily see
4 this being somebody just trying to help out their
5 neighbors in that part of the country, which I
6 differentiate a little bit from ballot harvesting, which
7 I am absolutely opposed to.

8 But so it's -- well, I agree. And it's -- it
9 is, in a sense, the same, but I also understand what
10 it's like to live in a very small town where you have
11 your neighbors and, Can you take this for me? You know?

12 MEMBER KING: Ballot harvesting is ballot
13 harvesting.

14 CHAIR FERVIER: It is. So any comments from
15 the morning, any questions from the board on this case?
16 There aren't any of the respondents here, Alice Strong,
17 Charlene Williams, Barbara Ann Quinn. There are also
18 statements from each of those individuals in the file.

19 MEMBER GRUBBS: Mr. Chairman, this is -- I
20 agree with you. It is kind of similar to the Early
21 County situation, except it's not a family and it's --
22 you know, it's kind of heartbreaking. And there's -- I
23 think there's a -- the retired sheriff that's -- this is
24 in the gray and -- but like, Ms. King said, ballot
25 harvesting is ballot harvesting. It doesn't matter if

1 it's one ballot or 1,000 ballots. We have to take that
2 into consideration.

3 So it -- it's gut wrenching for me, and I want
4 to have compassion, but I also think that people need to
5 understand they can't just go and collect ballots and
6 then, you know, shove them through the crack of the
7 door. There's got to be proper -- you know, we talk
8 about accountability in elections, and that goes for all
9 the counties, not just -- not just the big ones, not
10 just the small ones.

11 CHAIR FERVIER: Oh. I agree, and I would
12 certainly, you know, support -- believe these people
13 know they did wrong. Because it was wrong.

14 VICE CHAIR JOHNSTON: It was wrong. And the
15 election, this is the primary and it was during the
16 early voting period. There was plenty of time to return
17 these ballots when the office is open with the
18 appropriate person to turn in the ballot or even if
19 there was time, to put it in the mail. Because some --
20 one of the letters stated there was not enough time. I
21 think it was almost a week before election was over.

22 CHAIR FERVIER: Any further comments from the
23 board?

24 VICE CHAIR JOHNSTON: Well, the other comment
25 is that the complainant is Michael Wesley, the probate

1 judge, the Election Superintendent. I think I would
2 respect that complaint coming from him.

3 CHAIR FERVIER: Any further comments from the
4 board? Chair will entertain a motion.

5 VICE CHAIR JOHNSTON: Mr. Chair, I move that
6 we refer this to the attorney general.

7 MEMBER GRUBBS: I will second that motion.

8 VICE CHAIR JOHNSTON: Mr. Chair?

9 CHAIR FERVIER: So I -- are you -- I just want
10 to verify your violation for Alice Strong, violation for
11 Barbara Ann Quinn, and violation for Charlene Williams.
12 Are those the three that you want to refer to the
13 attorney general?

14 VICE CHAIR JOHNSTON: Yes.

15 CHAIR FERVIER: Okay. So we have a motion to
16 refer those three individuals.

17 MEMBER GRUBBS: Second.

18 CHAIR FERVIER: And there's a second. Any
19 discussion? Hearing no discussion, all those in favor,
20 signify by saying aye.

21 (Ayes were heard.)

22 CHAIR FERVIER: Any opposition? Hearing no
23 opposition, so moved. Well, it calls for a lunch break
24 on the agenda now. Dispense with that.

25 MEMBER GRUBBS: Extra 30 minutes.

1 CHAIR FERVIER: Yeah. Next item on the agenda
2 is SEB2024-088, Dodge County.

3 MR. MILLS: The Office of the Secretary of
4 State received the following complaint during the May
5 21, 2024 general election. The poll manager at the
6 Voluma (phonetic) Precinct in Dodge County voted at 7:00
7 -- voted before 7:00 a.m. on May 21st, 2024.

8 CHAIR FERVIER: Respondent is Lewis Sheffield
9 (phonetic). Is Mr. Sheffield here? Any questions from
10 the board on this case?

11 VICE CHAIR JOHNSTON: There was a statement
12 from Mr. Sheffield.

13 CHAIR FERVIER: There is?

14 VICE CHAIR JOHNSTON: Yes.

15 CHAIR FERVIER: Mr. Sheffield's statement.

16 MEMBER GRUBBS: It just says he's not any
17 longer a poll manager.

18 CHAIR FERVIER: Mr. Sheffield barely made any
19 statement at all.

20 MEMBER KING: So he's not there anymore.

21 CHAIR FERVIER: He's not there. That's all
22 right. Did -- he voted at 6:48 a.m. That's earlier
23 than anybody. That's early -- that's right. Early
24 voting, correct.

25 MEMBER GRUBBS: Well --

1 CHAIR FERVIER: He did not check the time.

2 Apparently, it was -- he said he assumed it was 8:00 or
3 7:00 or seven o'clock because it was daylight.

4 MEMBER GRUBBS: To me, it's a clear violation.

5 CHAIR FERVIER: It is a clear violation. The
6 chair would entertain a motion.

7 MEMBER GRUBBS: Mr. Chair, I would make a
8 motion that we do a letter of reprimand.

9 CHAIR FERVIER: We have a motion to issue a
10 letter of reprimand. Is there a second?

11 MEMBER KING: I'll second.

12 CHAIR FERVIER: We have a motion to second.
13 Any discussion? Hearing no discussion, all those in
14 favor of issuing a letter of reprimand on SEB2024-088,
15 signify by saying aye.

16 (Ayes were heard.)

17 CHAIR FERVIER: Hearing no opposition, so
18 moved. Next item is SEB2024-244, Dooly County.

19 MR. MILLS: Dooly County Board of Elections
20 and Registration reported that a candidate entered a
21 polling precinct on 12-3-2024 during the general
22 election runoff.

23 CHAIR FERVIER: Respondent is Wayne West. Is
24 Mr. West here? A potential violation, 21-2-414(d).

25 MEMBER GRUBBS: There's a letter?

1 CHAIR FERVIER: There is?

2 MEMBER GRUBBS: Yes.

3 CHAIR FERVIER: I guess -- the chairman will
4 entertain a motion.

5 MEMBER KING: I make a motion we issue a
6 letter of reprimand.

7 MEMBER GRUBBS: I second.

8 CHAIR FERVIER: We have -- we have a motion to
9 second to issue a letter of reprimand. Any discussion?
10 Hearing no discussion, all those in favor, signify by
11 saying aye.

12 (Ayes were heard.)

13 CHAIR FERVIER: Any opposition? Hearing no
14 opposition, so moved. The next item on the agenda is
15 SEB2024-248, Worth County.

16 MR. MILLS: The Secretary of State's office
17 received the following complaint regarding the November
18 5th, 2024 general election in Worth County, Georgia.
19 During the risk-limiting audit of absentee ballots, it
20 was discovered that a defective ballot was not properly
21 duplicated. Instead of a blank ballot -- instead, a
22 blank ballot was scanned into its place, resulting in
23 one fewer vote was recorded for the presidential race
24 and the House of Representatives District 8 race.

25 CHAIR FERVIER: The respondent is Brandy

1 Bowles, Election Supervisor and the Worth County Board
2 of Elections and Registration. Is Brandy Bowles here,
3 or Worth County?

4 Yes. Please come up. Finally. Please --
5 introduce yourself, please.

6 MS. BOWLES: My name is Brandy Bowles. I'm
7 Worth County Supervisor of Elections and Board of -- of
8 Board and -- Board of Elections and Registration. I'm
9 going to take a breath. I'm a little nervous. I did
10 come up with a statement for you.

11 On November 20th, 2024, we self-reported by
12 phone call and an official letter to Aaron Bell with the
13 Secretary of State's office in regards to a duplication
14 error that was discovered in the post- election audit on
15 November 15th. Today, I'm providing you with that
16 detailed summary.

17 CHAIR FERVIER: How long is your detailed
18 summary?

19 MS. BOWLES: Not very long if I talk fast, but
20 it will keep me --

21 CHAIR FERVIER: Okay.

22 MS. BOWLES: You know, keep me in order. So
23 that's why I do -- I'll have it. So after the audit of
24 the presidential rate, we were supposed to audit the 368
25 absentee ballots. 11 of those required duplication,

1 nine ballots -- in total, there was eight electronic and
2 one mail-in, and all of those were duplicated correctly.

3 On the 10th ballot, the voter did Xs instead
4 of filling in the bubble, and it was sent to
5 duplication, and it was duplicated correctly. The
6 ballot in question, the voter drew small circles instead
7 of bubbling it all the way in. And it was sent to
8 duplication, but it was not completed. And so a blank
9 ballot was scanned into the ICC. I discovered it after
10 the audit and so I immediately went through all the
11 other ballots to confirm that there was no other errors,
12 and there were not.

13 We also initiated a full review of our
14 procedures and policies and why it happened. And we've
15 identified several things that occurred that night. One
16 thing is, we've determined it was a lack of attention
17 and the distraction of the duplication panel that was
18 required to do it and also a lack of supervision on our
19 part.

20 Our general process was for them to come in at
21 5:00. And they didn't start in a timely manner. There
22 was a lot of activity going on. So they didn't start in
23 a timely manner. So that pushed them into when the
24 precincts were coming in and checking in. And so there
25 was a lot of activity and crowding in their office,

1 which in my opinion, it distracted them in their
2 performance.

3 So they've also, in past elections, been
4 called to do other duties, like help check in the poll
5 workers and everything. We also had a ton of write-ins
6 that year. So it was just a lot. Most importantly, it
7 appeared to be a misunderstanding of what ballots needed
8 to be duplicated and which ones did not.

9 So this is what our findings are. The review
10 and duplication of the ballots were not concluded in a
11 timely manner, which pushed us, you know, further and
12 further out. The boards did not have a full
13 understanding of when the ballot required a duplication,
14 and they did not. The additional duties assigned to the
15 members also affected them. And also, the environment
16 where they were performing their duties was less than
17 ideal. Precincts coming in after the polls close, it
18 creates overcrowding in a limited space, so.

19 In order to correct these issues, the Board of
20 Elections has determined that review panel members and
21 duplication panel members should only be assigned the
22 duties of review and duplication. They need specific
23 instructions on what ballots need duplications and what
24 ballots do not. They need to be processed in a timely
25 manner. So I'll kind of hurry this up a little bit.

1 But we've decided to make them start promptly
2 at 3:00 p.m. instead of 5:00 p.m. That gives us two
3 extra hours. So we also are moving it to the grand jury
4 room, which is on our second floor of our courthouse.
5 It's empty. There will be less -- no distractions.
6 Also, the supervisory part of it, me or my board chair
7 will be directly supervising them.

8 So we're confident that it's not going to
9 occur again. And we are making a checklist specifically
10 to state what an -- otherwise that defective ballot
11 would be, such as, like, substances on the thing that
12 won't make it go through the scanner. Taped, torn.
13 We're going to be very specific in our instructions with
14 our panels.

15 CHAIR FERVIER: And Ms. Bowles, I want to
16 thank you for doing a thorough review of that and taking
17 actions necessary to correct it, so.

18 MS. BOWLES: Yes, sir.

19 CHAIR FERVIER: We wish everybody would do the
20 same. So we appreciate that.

21 MS. BOWLES: Yes, sir.

22 CHAIR FERVIER: Any other questions from the
23 board?

24 VICE CHAIR JOHNSTON: No. Thank you for
25 coming and explaining and describing to us what you did.

1 MS. BOWLES: You're welcome. It's a learning
2 experience and you just get better from errors, so.

3 CHAIR FERVIER: The chair will entertain a
4 motion.

5 MEMBER KING: Oh. I make a motion that we
6 dismiss.

7 CHAIR FERVIER: We have a motion to dismiss.

8 MEMBER GRUBBS: I'll second that motion.

9 CHAIR FERVIER: We have a motion and a second
10 to dismiss. All those in favor, signify by saying aye.

11 (Ayes were heard.)

12 CHAIR FERVIER: Any opposition?

13 MS. BOWLES: Thank you so much.

14 CHAIR FERVIER: Hearing no opposition, so
15 moved.

16 VICE CHAIR JOHNSTON: Have a good day.

17 MS. BOWLES: Thank you.

18 MEMBER KING: Thank you.

19 CHAIR FERVIER: It pays to show up. Next item
20 on the agenda is SEB2023-082, Wheeler County/Glenwood,
21 Glenwood, Problems at the Polling Place.

22 MR. MILLS: The Office of the Secretary of
23 State received the following complaints during November
24 7th, 2023 City of Glenwood Municipal election. And
25 there are 11 complaints. And I won't go through them

1 all since you've got them listed.

2 CHAIR FERVIER: So let me catch up.

3 MR. MILLS: And the respondents are Anthony
4 White and Jatarius Wicker (phonetic).

5 CHAIR FERVIER: Yes. Is Mr. White or Mr.
6 Wicker here by any chance? Mr. White or Mr. Wicker? So
7 there are 11 allegations. Let me get down to the
8 findings, Potential violations against Mr. Wicker,
9 21-2-218(c), Address Changes and Corrections. And Mr.
10 White, 21-2-218(c), Address Changes and Corrections and
11 also 21-2-571, Voting by an Unqualified Elector.

12 Those are the potential violations. The other
13 allegations, there were no violations found. So does
14 the board have any questions on the nine allegations
15 that were not found? Let me see if I can identify --
16 Mr. Wicker has Allegation 1 and Mr. White is Allegation
17 8. Any questions from the board? The chair would
18 entertain a motion.

19 VICE CHAIR JOHNSTON: Mr. Chair, I have a
20 question about Allegation 2. Electors -- Ms. Jones
21 certified electors that were given a change address form
22 instead of provisional ballots (indiscernible)
23 eligibility --

24 CHAIR FERVIER: Who's that?

25 VICE CHAIR JOHNSTON: Allegation 2.

1 CHAIR FERVIER: Ms. Jones is Number 9? Oh,
2 you know what? It's different from the summary than it
3 is from allegations at the bottom there. Yeah. Okay.
4 Oh. Ms. Jones identified. Mr. Horn was a subject to the
5 allegation. And what's the question?

6 VICE CHAIR JOHNSTON: That -- I'll --
7 disregard that question.

8 CHAIR FERVIER: Okay. Let's deal with the --
9 the board would -- or the chair would consider a motion
10 on Allegation Number 1, Jatarius Wicker.

11 MEMBER KING: Mr. Chair, I make a
12 recommendation that we issue a letter of instruction to
13 Mr. Wicker.

14 CHAIR FERVIER: We have a motion to issue a
15 letter of instruction to Mr. Wicker. Is there a second?

16 MEMBER GRUBBS: I'll second that.

17 CHAIR FERVIER: We have a motion to second.
18 Any discussion? Hearing no discussion, all those in
19 favor, signify by saying aye.

20 (Ayes were heard.)

21 CHAIR FERVIER: Any opposition? Hearing no
22 opposition, so moved. Let's deal with Allegation Number
23 8, which is Anthony White. Chair will entertain a
24 motion.

25 MEMBER GRUBBS: Mr. Chair, I'm going to make a

1 motion that we refer Mr. White to the Attorney General's
2 Office. It states that he does -- he doesn't live in
3 the city. And one question, he was aware he didn't live
4 in the city, but still voted in municipal elections.

5 CHAIR FERVIER: We have the motion to send
6 Allegation Number 8, Mr. White, to the attorney general.
7 Is there a second?

8 MEMBER KING: Second.

9 CHAIR FERVIER: We have a motion to second.
10 Any discussion? Hearing no discussion, all those in
11 favor, signify by saying aye.

12 (Ayes were heard.)

13 CHAIR FERVIER: Any opposition? Hearing no
14 opposition, so moved. Allegations 2 through 7 and 9
15 through 11, those entail nine different allegations or
16 violations found. The chair would entertain a motion on
17 those.

18 MEMBER KING: Mr. Chair, I make a motion to
19 dismiss.

20 CHAIR FERVIER: There's a motion to dismiss
21 Allegations 2 through 7 and 9 through 11. Is there a
22 second?

23 MEMBER GRUBBS: I'll second.

24 CHAIR FERVIER: Motion and a second. Any
25 discussion? Hearing no discussion, all those in favor,

1 signify by saying aye.

2 (Ayes were heard.)

3 CHAIR FERVIER: Any opposition? Hearing no
4 opposition, so moved. Next item on the agenda is
5 SEB2023-082, Wheeler County. I'm sorry. Did I just do
6 that?

7 MEMBER GRUBBS: It's 07.

8 CHAIR FERVIER: I almost did that one. Next
9 one is SEB2024-087, Emanuel County.

10 MR. MILLS: The Office of the Secretary of
11 State received the following complaint during the May
12 21, 2024 general primary election. The poll manager at
13 Adrian Community Center polling location in Emanuel
14 County voted before 7:00 a.m. On 5-21-2024.

15 CHAIR FERVIER: Respondents are Darlene
16 Chapman Dickens, poll manager and Regis Sammonds
17 (phonetic), poll worker.

18 VICE CHAIR JOHNSTON: There's a statement.

19 CHAIR FERVIER: There's a statement from -- So
20 Mr. Sammonds says it was first time working as a poll
21 officer, and they did this as a training to where they
22 could train him going through the voting process. And
23 he didn't understand at the time that it would actually
24 be a legitimate vote. He thought it was a training
25 issue to test run an equipment check. He didn't realize

1 the machine would treat it as an actual vote. He did
2 not intend to vote early or violate any rule. He -- so
3 he was following instructions and believed he was
4 participating in a test, so.

5 MEMBER GRUBBS: This is not the Emergency
6 Broadcast System.

7 CHAIR FERVIER: Yes. Any further questions
8 from the board?

9 MEMBER GRUBBS: And no one's here from Emanuel
10 County? Mr. Chairman, while I appreciate his heart and
11 eagerness to test the voting equipment with his ballot,
12 I think a letter of reprimand is in order.

13 CHAIR FERVIER: So we have a motion to issue a
14 letter reprimand for Regis Sammonds. Is there a second?

15 MEMBER KING: Second.

16 CHAIR FERVIER: We have a motion to second.
17 Any discussion? Hearing no discussion, all those in
18 favor, signify by saying aye.

19 (Ayes were heard.)

20 CHAIR FERVIER: Any opposition? Hearing no
21 opposition, so moved. Darlene Dickens is also alleged
22 to have violated 21-2-403(a), Time for Opening and
23 Closing the Polls when she allowed him to vote early.
24 The chair would entertain a motion on -- regarding
25 Dickens.

1 MEMBER GRUBBS: Mr. Chairman, I'd make a
2 motion for a letter of reprimand.

3 CHAIR FERVIER: We have a motion for a letter
4 of reprimand. Is there a second?

5 MEMBER KING: Second.

6 CHAIR FERVIER: Motion and second. Any
7 discussion? Hearing no discussion, all those in favor,
8 signify by saying aye.

9 (Ayes were heard.)

10 CHAIR FERVIER: Any opposition? Hearing no
11 opposition, so moved. A letter of reprimand will be
12 sent to both individuals. Next item on the agenda is
13 SEB2024-099, Peach County.

14 MR. MILLS: While monitoring, the Georgia
15 Secretary of State Investigator Chuck Miller reported
16 the BMDs assigned to the Willow Lake Road Fire Station
17 were not properly sealed. This was discovered after
18 Investigator Miller spoke with Assistant Poll Manager
19 Pamela Miller Wright, who answered no when asked, Were
20 BMD units properly sealed with a plastic renumbered seal
21 prior to the poll officials setting up units for voting.

22 CHAIR FERVIER: Respondents are Anthony
23 Sallette, Election Supervisor, and Peach County Board of
24 Elections and Registration.

25 Are you Anthony?

1 MR. SALLETTE: Yes, sir.

2 CHAIR FERVIER: You might have to move that
3 microphone up a little bit.

4 MR. SALLETTE: All right. Good afternoon.
5 Prior to this election --

6 CHAIR FERVIER: Please introduce yourself for
7 the court reporter.

8 MR. SALLETTE: Oh. I'm sorry. I'm Anthony
9 Sallette, Peach County Election Supervisor. Prior to
10 this election, I was certified to run an election March
11 29th of 2024. Basically, I had just came into the
12 position at the beginning of April. I did not
13 understand the correct procedures or forms or anything
14 of that nature. We were still mostly redistricting at
15 the moment -- that we had to fix within county to make
16 sure everybody was able to vote with the correct races.

17 MS. GRUBB: Mr. Sallette, are you currently
18 still in that position?

19 MR. SALLETTE: Yes, I am.

20 MS. GRUBB: Have you learned some new things?

21 MR. SALLETTE: A lot. A lot of -- a lot of
22 things. Since the May primary, I can say that we --
23 with the last seven, eight elections that I've done over
24 the last couple of years, we have went through smoothly
25 with minor -- minimum issues since then. Between me

1 working with the other counties as well as working with
2 the Secretary of State's office, I've come a long way.

3 CHAIR FERVIER: Are you claiming this is a
4 beginner's mistake?

5 MR. SALLETTE: Yes, sir. Yes.

6 CHAIR FERVIER: How do you prevent that from
7 happening in the future?

8 MR. SALLETTE: Ever since then, we have
9 everything sealed. Once we complete, we get done with
10 all our process procedures prior to the election, we go
11 through and make sure that every BMD, every printer,
12 everything is sealed from that point on except
13 (indiscernible) a separate lock.

14 CHAIR FERVIER: And you've had eight elections
15 since then, roughly?

16 MR. SALLETTE: Yes.

17 CHAIR FERVIER: Okay. Any further questions
18 from the board? Chair would entertain a motion.

19 MEMBER KING: I make a motion -- I make a
20 motion that we just issue a letter of instruction.

21 CHAIR FERVIER: We have motion to issue a
22 letter of instruction. Is there a second?

23 MEMBER GRUBBS: I'll second that.

24 CHAIR FERVIER: Motion and a second. Any
25 discussion? Hearing no discussion, all those in favor,

1 signify by saying aye.

2 (Ayes were heard.)

3 CHAIR FERVIER: Any opposition? Hearing no
4 opposition, so moved.

5 MR. SALLETTE: Thank you.

6 CHAIR FERVIER: And you have -- you have
7 received the appropriate slap on the wrist.

8 MEMBER GRUBBS: Mr. Sallette, I will tell you
9 that I have a lot of friends in Peach County, and if you
10 hadn't corrected yourself, I'm sure I would have been
11 hearing from them. So congratulations on not being in
12 trouble and continuing to do good work.

13 MR. SALLETTE: Thank you. I appreciate it.

14 MEMBER GRUBBS: Thank you.

15 CHAIR FERVIER: Next item on the agenda is
16 SEB2022-150, Houston County. Election Supervisor
17 Deborah Crestwood reported to Secretary of State and
18 former poll worker Margaret Messerle (phonetic) took a
19 photo of a ballot during the May 22, 2022, general
20 election primary.

21 Then Allegation Number 2 is Election
22 Supervisor Deborah Crestwood reported that Margaret
23 Messerle marked through a QR code on several ballots
24 while attempting to vote. She also reported that Ms.
25 Messerle walked out of the precinct with a ballot early

1 November 8, 2022, general election.

2 And I might have mispronounced your name. If
3 I did, I'm sorry.

4 MS. MESSERLE: That's okay; we're used to it.
5 It's Messerle. And yes, I'm Margaret Messerle from
6 Houston County near Peach County. And so I'd like to
7 start out, if you don't mind, with a very short prayer.

8 Holy Father, Lord, thank you so much for
9 bringing us to live in a -- in a free country with an
10 amazing, Godly constitution and God -- and Godly people
11 around as our neighbors. In Jesus' almighty name, we
12 pray. Amen.

13 So I'd like to address the first allegation.
14 I spoke with Ms. Crestwood pretty soon after this
15 because I -- she dismissed me from poll watching,
16 wrongly I might add. She accused me of having taken a
17 picture of a ballot, but I did not take a picture of a
18 ballot. I was in possession of a ballot, a picture of a
19 ballot, but it was not me who took that picture and I
20 wasn't -- it wasn't taken with my phone. So I was
21 wrongly dismissed.

22 Along with this dismissal letter, Ms.
23 Crestwood admitted to me that she went together with the
24 GOP chairman, who actually signed the letter of
25 dismissal, because that's who I was representing at the

1 time, she accused me of numerous things, but I did not
2 do any of them. Praise God, I can say I was innocent of
3 every false accusation in this dismissal letter.

4 But the one thing they thought I had actually
5 done was take a picture of a ballot, and I didn't. I
6 never did. So we -- actually, after I got dismissed
7 from representing the GOP, because I had essentially, I
8 believe, this is not mentioned in the letter, but it's
9 because I asked a question about the machines. I had
10 been a poll watcher for five days and noticed that the
11 number of voters went down on two machines.

12 I was watching at one precinct with 30
13 machines, and on day five I noticed that number can't go
14 down, the number of voters can't go down on any of these
15 machines. But I asked Ms. Crestwood, who was right
16 there in her building, if I could just compare notes,
17 because this didn't look right. And she just -- she
18 just exploded. She just -- I know now it was a pretend
19 anger. She acted angry, and I -- she didn't say why. I
20 didn't know why.

21 I then asked if I could -- if we could maybe
22 compare notes maybe tomorrow or later that week, and she
23 just got angrier, just saying, no, no, no.

24 And I was confused, and I just went on to work
25 that day and received this email dismissal four hours

1 later with this two-page, single-line accusation letter
2 that could not have been created in that short amount of
3 time. And it even mentioned that the GOP executive
4 board had voted that I was, and decided I was,
5 misrepresenting them to the community, and I didn't do
6 any of these things that I was accused of in this
7 letter.

8 So what I had been doing, and that leads to
9 Allegation Number 2. Okay, let me -- let me go ahead
10 and address Allegation Number 2, and that is that I
11 marked through the QR code at the top of my ballot
12 paper. I had learned at that point, in 2022, that this
13 QR code is not supposed to be on a ballot. It's an
14 encoded message. Georgia Election Code 22-2-300 (sic),
15 Section 2, protects voters by stating that, quote,
16 electronic ballot markers shall produce paper ballots
17 which are marked with the elector's choices in a format
18 readable by the elector.

19 And the QR code is obviously not readable by
20 the elector. That's the only thing the scanner reads.
21 So I took a ballpoint pen that day when I was supposed
22 to be voting and I was wanting to vote, I wanted to
23 vote. I just used a ballpoint pen and scribbled over
24 the QR code. And I was just making a statement to
25 myself, hoping it might go through anyway but of course,

1 it didn't.

2 And my elections department had to pay tax
3 money, county tax money, to -- to the service of
4 elections, issued me another card. I went through the
5 voting system again, voting exercise again, did the same
6 thing, had the same results. And then, because I had
7 been a poll worker earlier for two years, I thought I
8 could ask for a provisional ballot to vote provisionally
9 without a QR code that spoils my ballot and they
10 refused. So I did not get to vote that day. But I did
11 cross through the illegal QR code.

12 That's -- there are so many codes that are not
13 being adhered to by our county elections department
14 employees. You may have guessed by now, I try to be
15 active with, you know, thousands of people in our state
16 who want true elections back, supplied by county
17 systems, county services that are legal. And they look
18 for accuracy, not necessarily the authority as the top
19 priority. It's accuracy.

20 And you all have heard the stories of proof,
21 court-accepted -- court-accepted evidence of thousands
22 and thousands of votes being flipped in a moment, in a
23 moment. So I've been speaking about these things in our
24 county meetings, our monthly county public meetings in
25 front of audiences and, of course, the commission. And

1 the commissioners are very upset that I'm doing this,
2 but it's court-accepted evidence and it's all of us who
3 suffer for it. It's all of us who are suffering for the
4 use of these illegal system machines.

5 CHAIR FERVIER: Let me -- let me ask a couple
6 questions, if you don't mind.

7 MS. MESSERLE: Yes, sir.

8 CHAIR FERVIER: You spoiled two ballots,
9 right?

10 MS. MESSERLE: Yes, sir, I did.

11 CHAIR FERVIER: You ripped through the QR code
12 --

13 MS. MESSERLE: Well, actually, they was
14 spoiled before I crossed through the spoiled line on my
15 ballot. So I didn't spoil it first. It was already
16 spoiled when I marked through the QR code.

17 CHAIR FERVIER: How was it spoiled before you
18 marked through the QR code?

19 MS. MESSERLE: The QR code is not readable by
20 the electorate --

21 CHAIR FERVIER: Okay. So, but you --

22 MS. MESSERLE: -- and that's the only thing
23 the scanner reads. It's blurred.

24 CHAIR FERVIER: Right. Right. Right.

25 MS. MESSERLE: It is not connected to what's

1 humanly readable --

2 CHAIR FERVIER: I understand. I understand.

3 MS. MESSERLE: -- on our -- on our ballot.

4 Yes, sir.

5 CHAIR FERVIER: So you marked through two
6 different ballot QR codes?

7 MS. MESSERLE: QR codes, yes, sir, I did.

8 CHAIR FERVIER: Right. And you understood
9 prior to voting that the QR code was what was actually
10 read by the tabulator, correct?

11 MS. MESSERLE: Yes, somewhat.

12 CHAIR FERVIER: Is that right? So that's how
13 the vote was counted.

14 MS. MESSERLE: It was unnecessary for
15 registering our votes.

16 CHAIR FERVIER: Right. Why didn't you vote by
17 absentee, then, because you know that absentee ballots
18 aren't treated the same way?

19 MS. MESSERLE: I really don't know how the
20 absentee ballots worked and I'm not absent. I would --
21 I always like to vote on Election Day.

22 CHAIR FERVIER: Did you ask for a provisional
23 ballot before you marked through the two QR codes?

24 MS. MESSERLE: Certainly not. Certainly not.

25 CHAIR FERVIER: No? So were you just trying

1 to make a point, then, that the QR code is --

2 MS. MESSERLE: I certainly never expected to
3 have to drive two and a half hours to be here to address
4 it. I just -- I did not get to vote that day. And I
5 just can't bring myself to take part in a system that
6 has that spoiled, encoded mark on it that the scanners
7 are reading, that I can't read. And when there's a law,
8 a good law, on the books about this, I take -- I'm
9 offended that so many more laws are being added to make
10 -- to make this book thicker and thicker and thicker,
11 when so many good laws are not being followed.

12 MEMBER GRUBBS: Ms. Messerle, I completely
13 sympathize and understand how you feel and I have been
14 there as well. And, you know, here we are in a
15 situation right now where SB189 was put into law to
16 remove the QR codes from our ballots, and yet here we
17 sit with our Secretary of State who has said nothing to
18 do that except come up with a budget of \$66 billion or
19 whatever it is to do that, when it doesn't have to be
20 that far.

21 I completely sympathize with you, and I
22 understand your mindset in doing that, but the problem
23 is that, unless and until those laws are changed, this
24 is what we have to deal with. And I understand that
25 this is more of a civil disobedience perspective that

1 you have, I think, in wanting to mark through the QR
2 code, knowing that's the only way that the scanner, you
3 know, can read that with the settings and all that kind
4 of stuff.

5 You know, I agree with you that it shouldn't
6 be the way that it is. And we should not have to go and
7 get on our knees and beg for a better way to vote, a
8 more accurate way to vote. We should not have to beg to
9 have poll tags printed and accurately reconciled. We
10 should not have to beg to not have non-citizens voting
11 in our elections. We should not have to beg people to
12 follow the law. We're asking everyone else to follow
13 the law.

14 I understand how you feel, and I've been there
15 myself, but that's part of the reason why I agreed to be
16 on this board is that everybody has to be held
17 accountable for the law. And if we're going to expect
18 our counties to be held accountable for the law, we have
19 to follow the law until we can get it changed too.

20 And while I agree with you and I understand
21 the frustration because I've been at this for six years
22 now with trying to get fair elections in Georgia and to
23 get rid of machines that just have another entry point
24 of vulnerability for our elections and when, you know,
25 when the reporters come and ask me about certain

1 aspects, I say I want fair, legal, only citizens voting,
2 one vote per legal voter with provable elections,
3 reconcilable elections. So I get that.

4 The problem is that that puts another burden,
5 a big burden, on our election workers. These are our
6 friends and neighbors that work at our polls, these are
7 people in our communities who are running the elections,
8 and I think if you sit through the election board
9 meetings, you will hear that people, they're just trying
10 to do their job. And by golly, they can't even call the
11 Secretary of State's Office and get good, reliable
12 information. They can't call the Secretary of State's
13 Office and have them say, this is the procedure that you
14 follow and oh, by the way, you can find that law in
15 21-2, da da da. It's fair and it's legal.

16 And there may not be a fair, accurate, legal
17 representation for what they should do. The problem is,
18 you -- clearly you just admitted you violated the law,
19 so what are we supposed to do when you violate the law
20 and can we treat you any differently than we treat
21 anyone else who violates the law? And this is a very
22 difficult situation.

23 MS. MESSERLE: May I speak?

24 MEMBER GRUBBS: Certainly.

25 MS. MESSERLE: Ms. Grubbs, I don't see it as a

1 civil disobedience. I did not ask -- I did not get to
2 vote that day. I did not get to vote that day. This
3 was -- this was free speech. I'm the one who lost. I
4 did not get to vote that day. This did not create any
5 extra effort on anyone's part. They're not the victims
6 here.

7 CHAIR FERVIER: But it -- but it violates 21-
8 2-576, destroying, defacing, or delaying delivery of
9 ballots. I mean, it's a clear violation of that code
10 section and you may disagree with it, but it's a clear
11 violation of that code section. You defaced a ballot.

12 MS. MESSERLE: There are some bad, bad rules
13 --

14 CHAIR FERVIER: There -- I'm not arguing about
15 that, Ms. Messerle. It is a --

16 MEMBER GRUBBS: Then go to the state house and
17 tell them. That's part of the problem. Citizens have
18 been frustrated for such a long time --

19 MS. MESSERLE: I have been -- yes, ma'am.

20 MEMBER GRUBBS: Doing the action --

21 MS. MESSERLE: Yes, ma'am.

22 MEMBER GRUBBS: Doing the action of marking
23 through your ballot isn't going to help change the law.
24 The legislators are the ones who are in charge of the
25 law. We have to follow what the legislature says too.

1 And our duties as the state election board are to
2 enforce the law and to make rules and regulations. And,
3 you know, I don't know --

4 MEMBER KING: This is after July 7th, the
5 argument, that's when QR codes were supposed to be
6 removed. We're waiting to see if that's going to
7 happen.

8 MS. MESSERLE: May I address that, too? What
9 was on these ballots before the QR code was a bar code.
10 So I don't have a lot of confidence in people that have
11 made that decision to make this decision unless --

12 MEMBER KING: Well, I don't think -- that
13 hasn't happened. I think we have ample amount of time
14 to do it and --

15 MS. MESSERLE: Exactly.

16 MEMBER KING: -- so I absolutely would share,
17 like Member Grubb said, I share your frustration with
18 this bill. And you're 100 percent correct. Not only
19 can we not read the QR code, we cannot read the index
20 system that's associated with the QR code and telling me
21 that I'm checking my ballot by reading text that's not
22 read by the scanner is just a fool's errand and it's
23 insulting, so I understand 10,000 percent.

24 However, they do have until July 7th of this
25 year --

1 MS. MESSERLE: That's true.

2 MEMBER KING: -- to remove it. So technically
3 the ballot was still legal because that -- well, it's
4 interesting. To your point -- to your point, according
5 to the code that says you're supposed to be able to read
6 and review your ballot, no. However, it is the -- it is
7 the -- the process that has been accepted to administer
8 our elections. So it is just kind of a -- you know, it
9 does cancel itself out emotionally or seemingly.

10 However, that ballot is that ballot. That's
11 the ballot that everyone has up until July 7th. So I
12 agree with Member Grubbs that there was a violation.
13 And whether it was done emotionally or even under the
14 understanding that you're unable to read your QR code, I
15 would suggest in the future either voting absentee or
16 asking for a provisional ballot.

17 CHAIR FERVIER: Do you see -- do you --

18 MS. MESSERLE: So if you'd like for us to ask
19 for provisional ballot next time, I mean, I did, and I
20 was refused. So aren't I supposed to be able to vote?

21 MEMBER KING: You didn't ask.

22 MS. MESSERLE: Well, after the second crossing
23 out of the QR code --

24 MEMBER KING: Well, after the second --

25 MS. MESSERLE: -- I asked after the first one

1 that they gave me another card to go to the next one.

2 MEMBER KING: That's correct. You have to ask
3 before you deface the ballot.

4 CHAIR FERVIER: Yeah, I want to -- this isn't
5 just about you either. You know, I understand that
6 you're making a personal protest against that, but, you
7 know, if this board allowed something like that to
8 happen, after the primaries, we'd have 1,000 people up
9 here doing the same thing. And that 1,000 people adds a
10 lot of time to those election workers out there that are
11 trying to just do their job. You know, yours costs them
12 a couple minutes. A thousand people is going to cost
13 them a couple thousand minutes, you know, so we have to
14 set a standard of what's allowed and what's not allowed.

15 MS. MESSERLE: Well, wouldn't that -- wouldn't
16 that mean that that many people have no regard, no trust
17 in the system?

18 CHAIR FERVIER: And that's a legislative
19 issue, you know? That's a legislative -- that is not --
20 you know, we need -- we have to abide by the laws that
21 we're given, you know? And so that's the law that's
22 given us.

23 MEMBER GRUBBS: Exactly. I could give you a
24 list of a thousand laws right now that I think are
25 asinine and stupid, but let's talk about Flock cameras.

1 I mean, we can talk about a lot of different things that
2 should be illegal, but the point is, it looks to me like
3 the Houston County elections, they seemed like they were
4 pretty patient. And, you know, we have -- there's so
5 many people, good, honest elections people that are
6 working so hard, and they didn't choose the system.
7 This system was forced down our throats and it's not
8 their fault.

9 MS. MESSERLE: I'm not blaming the people who
10 work the --

11 MEMBER GRUBBS: I understand that you're
12 having to share the consequences of it, and so it's
13 really not fair to put them through it in that manner.
14 And, you know -- you know, it's an unfortunate way to
15 frustrate them, but should we treat you any differently
16 than anyone else who violates the law?

17 MS. MESSERLE: Certainly not. Certainly not.
18 No, ma'am.

19 MEMBER GRUBBS: And it breaks my heart,
20 because I feel your frustration. I've been there, and I
21 get it. And what I would say to anybody is, request an
22 absentee ballot and drive it in on Election Day and turn
23 it in on Election Day, because that's essentially what
24 you have, is a hand-marked, paper ballot to take in on
25 Election Day.

1 MS. MESSERLE: That would be nice.

2 MEMBER GRUBBS: Well, hopefully, the wisdoms
3 that we have in our legislature right now, hopefully,
4 before the session ends, they will legislate for
5 hand-marked paper ballots. That is my prayer. That is
6 what I hope they will do. But unless and until they do,
7 we're stuck with this bad system that we've got, and
8 we've got to navigate our way through it, but we can't
9 navigate our way through it by breaking the law.

10 MS. MESSERLE: Thank you. I'm still hoping
11 you might dismiss my cases but...

12 MEMBER KING: Well, what we were briefly
13 discussing, I think this should be a letter of
14 instruction, just so that you have all the information
15 you know now. And the reason why is because I agree.
16 The state is breaking its own law by not allowing you to
17 be able to verify your selection. It's not right. So,
18 yeah, I make a motion that we issue a letter of
19 instruction.

20 CHAIR FERVIER: There's a motion to issue a
21 letter of instruction. Is there a second?

22 VICE CHAIR JOHNSTON: Seconded.

23 CHAIR FERVIER: Is there a motion to second
24 the discussion? I just want to make a point that this
25 doesn't encourage people to commit the same violation,

1 and anybody who thinks that they can get away with this
2 and come before this board in the future, after this
3 morning, is probably sorely wrong on that. So don't
4 think that you're just going to come here and get a
5 letter of instruction when you deface a ballot and cause
6 issues for the people that are trying to run elections
7 out there, so.

8 MEMBER KING: I agree, but I also think that
9 the state needs to be reprimanded if you really want to
10 talk about being fair.

11 MS. MESSERLE: Unconstitutional.

12 VICE CHAIR JOHNSTON: Well, I -- I hear your
13 arguments and I sympathize with you. My concern with
14 this case is the disruption to the poll workers. They
15 don't make the law. They can't make decisions. They're
16 the -- they're the innocent parties that you're taking
17 it out on, and I don't think that's proper election
18 conduct for you or for them to have the burden of having
19 to repeat or give you another ballot for the same thing.

20 MS. MESSERLE: I had asked for a provisional
21 ballot. That's all.

22 I agree. I certainly don't want to create any
23 trouble or extra work for anyone.

24 CHAIR FERVIER: We have a motion to second the
25 issue of a letter of instruction. Any further

1 discussion?

2 All those in favor signify by saying aye.

3 (Ayes were heard.)

4 CHAIR FERVIER: Any opposition? Hearing no
5 opposition, so moved.

6 MS. MESSERLE: Thank you so much.

7 CHAIR FERVIER: The next item on the agenda is
8 SEB2024-170, Houston County Voter Registration Problems.

9 MR. MILLS: The Secretary of State's Office
10 received the following complaint concerning the November
11 5th, 2024, general election in Houston County. Deidre
12 Ridley attempted to vote early in the November 5th,
13 2024, general election. She discovered that her voter
14 registration had been transferred from Houston County to
15 Crisp County without her consent.

16 CHAIR FERVIER: The respondent is Deidre
17 Ridley.

18 Is Deidre here? Ms. Ridley?

19 Now, we have a statement from Ms. Ridley in
20 the file. Does this board need me to read it?

21 VICE CHAIR JOHNSTON: No.

22 CHAIR FERVIER: Okay.

23 VICE CHAIR JOHNSTON: For Ms. Ridley, somebody
24 changed her voter registration, so she was put into a
25 different county, and rather than accepting a

1 provisional ballot that's cleared in the county that she
2 should have voted in, she apparently returned to the --
3 to the newly assigned county and voted, I guess. And
4 very clearly, it was just not the right thing to do.

5 CHAIR FERVIER: Any further comments from the
6 board?

7 Chair will adjourn the motion.

8 MEMBER KING: We don't know who the respondent
9 is.

10 CHAIR FERVIER: The respondent was Deidre
11 Ridley.

12 MEMBER KING: No, I meant --

13 VICE CHAIR JOHNSTON: It was an unknown
14 respondent. Someone unlawfully altered her voter
15 registration.

16 MEMBER KING: I mean, I would like to discuss
17 this. I think we should send this to the AG's office
18 and see if they can (indiscernible).

19 CHAIR FERVIER: Well, what about Ms. Ridley?

20 MEMBER KING: Well, she's -- oh, so I think
21 the motion that we dismiss is Ridley's.

22 CHAIR FERVIER: We have a motion to dismiss
23 Ms. Ridley's portion. Is there a second?

24 MEMBER GRUBBS: Second.

25 CHAIR FERVIER: We have a motion and a second

1 from Dr. Johnston to dismiss Ms. Ridley's portion. All
2 those in favor signify by saying aye.

3 (Ayes were heard.)

4 CHAIR FERVIER: Any opposition? Hearing no
5 opposition, motion carries 3 to 0. There's an unknown
6 respondent also.

7 MEMBER KING: Yeah, I make a motion to send
8 this to the Attorney General's office so that they can
9 --

10 CHAIR FERVIER: We have a motion to send the
11 unknown respondent to the Attorney General's.

12 VICE CHAIR JOHNSTON: My question about that
13 is, yes, if we knew who the respondent was, that's
14 totally legitimate to go to the Attorney General's
15 office. However, it's an unknown, and the Attorney
16 General is not --

17 CHAIR FERVIER: They don't investigate.

18 VICE CHAIR JOHNSTON: They don't investigate,
19 so no more information will be provided and they don't
20 sent a report. They do nothing.

21 MEMBER KING: This is so weird to me that the
22 Attorney General doesn't investigate.

23 CHAIR FERVIER: They don't investigate things
24 there.

25 VICE CHAIR JOHNSTON: They don't investigate

1 anything.

2 CHAIR FERVIER: Do you want to revise your
3 motion or?

4 MEMBER KING: Yeah. I guess I have to. So I
5 retract my motion, and I make a new motion that we just
6 dismiss this case.

7 CHAIR FERVIER: We have a motion to dismiss.
8 Is there a second?

9 MEMBER GRUBBS: Second.

10 CHAIR FERVIER: Motion seconded. All those in
11 favor signify by saying aye.

12 VICE CHAIR JOHNSTON: Well, a discussion so I
13 can make a point that when a case is dismissed, there
14 are many reasons why it may be dismissed. And this is a
15 case where there is a violation, but we are not able to
16 enforce the violation of election code of conduct
17 because of the lack of information.

18 CHAIR FERVIER: All those in favor of
19 dismissal signify by saying aye.

20 (Ayes were heard.)

21 CHAIR FERVIER: Any opposition? No
22 opposition, so moved.

23 Next item on the agenda is SEB2024-111, Macon
24 County Absentee Ballot Drop Box.

25 MR. MILLS: The Macon County Election Board

1 reported that a surveillance camera system for the
2 absentee ballot box was not being recorded during the
3 advanced voting for the general, primary, and runoff
4 elections on June 10th to the 14th, 2024.

5 CHAIR FERVIER: Macon County, we're going to
6 give you 37 seconds.

7 UNIDENTIFIED MALE SPEAKER: We'll just dismiss
8 our case.

9 UNIDENTIFIED FEMALE SPEAKER: You can dismiss
10 our procedural.

11 CHAIR FERVIER: Please introduce yourself.
12 Please introduce yourself.

13 MS. RILEY: Tarshea Riley, Macon County,
14 Georgia Elections. I work for my board vice chair,
15 Lennard Felton, and chair, Christopher Fox. We are here
16 from Macon County.

17 CHAIR FERVIER: Let me understand this real
18 quick. This is the case where it wasn't -- the video
19 recorder, the tape was pulled because of a subpoena that
20 you all received?

21 MS. RILEY: No, sir. It was an open records
22 request that --

23 CHAIR FERVIER: The open records request,
24 yeah.

25 MS. RILEY: -- right, that went to the county

1 manager and that open records request was not shared
2 with my office, so it is to my understanding that my
3 surveillance system was currently working.

4 CHAIR FERVIER: And so they pulled the hard
5 drive --

6 MS. RILEY: They pulled the hard drive
7 because, allegedly, the person that submitted the open
8 records request did not state the actual dates and times
9 that they wanted footage. So our building is the
10 courthouse annex building, so it's two other offices,
11 the tax office and the magistrate court office. So the
12 person allegedly did not specify which footage they
13 needed, so they pulled the hard drive, which caused me
14 to be in violation for two days, not having my drop box
15 monitored by surveillance.

16 However, for those two days of early voting, I
17 did utilize a poll worker as, you know, that was a floor
18 monitor to kind of just monitor the drop box for those
19 two days until --

20 CHAIR FERVIER: When did you find out it was
21 pulled?

22 MS. RILEY: The first day of early voting,
23 around 8:30, when I -- I come in, like, 30 or 45 minutes
24 early.

25 CHAIR FERVIER: And how did you correct it?

1 MS. RILEY: I utilized the floor monitor to
2 just monitor the drop box and I then proceeded to call
3 my board chair at that time and she instructed me to
4 call the code enforcer because he also serves as the IT
5 person, to let him know that my surveillance system was
6 not working, so --

7 CHAIR FERVIER: And it was only out for two
8 days?

9 MS. RILEY: Yes, just for those two days.

10 CHAIR FERVIER: Any further questions from the
11 board?

12 MEMBER GRUBBS: And you self-reported this?

13 MS. RILEY: Yes, I did self-report.

14 MEMBER GRUBBS: Thank you so much.

15 MS. RILEY: You're welcome.

16 MEMBER GRUBBS: I appreciate that.

17 MS. RILEY: Thank you.

18 MEMBER GRUBBS: We pardon you for doing that.

19 MS. RILEY: Thank you. Thank you.

20 CHAIR FERVIER: Where's the -- where's the
21 drop box located?

22 MS. RILEY: The drop box, the slot to the drop
23 box -- our building, the annex building, is a former
24 bank. So on my end of the building, the drop box is a
25 slot that you can open and drop the ballot in.

1 CHAIR FERVIER: But that's not being
2 monitored?

3 MS. RILEY: The actual drop box, it was on the
4 inside of my office.

5 CHAIR FERVIER: But the slot's not being
6 monitored, correct?

7 MS. RILEY: It was not monitored for two days,
8 but now it is.

9 CHAIR FERVIER: But the slot itself is being
10 monitored?

11 MS. RILEY: Yes, the slot and the box.

12 VICE CHAIR JOHNSTON: Is the drop box inside
13 of the polling place?

14 MS. RILEY: Yes, the box where the ballot is
15 held is inside of my office but the slot is right
16 outside the entrance door and you just pull the slot
17 back, and you can -- because it used to be the night
18 deposit box. The building is a former bank, so.

19 VICE CHAIR JOHNSTON: So it's an exterior slot
20 --

21 MS. RILEY: Yes.

22 VICE CHAIR JOHNSTON: -- which is not
23 compliant to a drop box.

24 MS. RILEY: Right. I think we got cited for
25 that in 2022 or 2023. So we're in the process now of

1 getting a mobile box that can be inside of our elections
2 office and we will be compliant with that prior to the
3 upcoming early voting.

4 VICE CHAIR JOHNSTON: So the next election,
5 you will be compliant?

6 MS. RILEY: Yes. We will have a mobile drop
7 box, yes.

8 CHAIR FERVIER: Great. Any further questions
9 from the board? I know you all want to talk, but it may
10 not be necessary.

11 MS. RILEY: No, no, no, we don't but thank
12 you.

13 CHAIR FERVIER: The Chair will entertain a
14 motion.

15 MEMBER KING: I make a motion to issue a
16 letter of instruction.

17 CHAIR FERVIER: We have a motion to issue a
18 letter of instruction. Is there a second?

19 MEMBER GRUBBS: Second.

20 CHAIR FERVIER: Motion is second. All those
21 in favor signify by saying aye.

22 (Ayes were heard.)

23 CHAIR FERVIER: Any opposition?

24 Hearing no opposition, we will issue a letter
25 of instruction. Thank you very much.

1 MS. RILEY: Thank you.

2 UNIDENTIFIED FEMALE SPEAKER: Thank you.

3 CHAIR FERVIER: Is that it for you all? Safe
4 travels.

5 Well, there's Page 2 done. Moving right
6 along, next item on the agenda is SEB2024-100, Bibb
7 County Problems with Polling Place Voting Equipment.

8 MR. MILLS: The Office of the Secretary of
9 State received the following complaint concerning May
10 21, 2024, general primary in Bibb County, Georgia.
11 District 8 Commissioner Candidate Michele Parks stated
12 that District 8 ballots were not at the polling place on
13 Election Day. Voters could not access their polling
14 place at the Beulah Baptist Church precinct due to road
15 construction and multiple problems with poll/mechanical
16 issues during the election.

17 CHAIR FERVIER: Now, I'm just going to take a
18 wild guess and say you're not Thomas Gillon.

19 MS. MARTIN: I am not. I am not. He would be
20 here, but we had a runoff yesterday, so he is otherwise
21 engaged.

22 CHAIR FERVIER: Would you please introduce
23 yourself for the court reporter?

24 MS. MARTIN: Yes. My name is Grace Martin,
25 and I am here as legal counsel for the board of

1 elections.

2 CHAIR FERVIER: Proceed, please.

3 MS. MARTIN: Yes. So, I want to start by
4 saying, again, that Tom could not be here simply because
5 we were having this runoff yesterday, and he has a lot
6 going on right now. But when this issue happened, as
7 advised in the summary, the registrar had just resigned,
8 and it turns out that that was the only person who had
9 been at the Macon-Bibb County Board of Elections when
10 the last redistricting happened in either 2011 or 2012.

11 So, when this happened, there was nobody at
12 the Board of Elections that had any experience managing
13 these redistricting issues. And I believe that we have
14 potentially up to 30 different districts that we have
15 here, so, we have got nine county commission districts,
16 six school districts, and four water authority
17 districts.

18 As indicated, these issues were able to be
19 resolved, so we did not have any disenfranchised voters
20 from this. Our election supervisor has gone through,
21 and he has done it address by address at this point, so
22 there should be no issues at all moving forward with
23 these, you know, commission lines or district lines.
24 There were also, I think, less than 50 voters that would
25 have been impacted by this. All of these issues took

1 just a few minutes to resolve once they were brought to
2 the attention of our election supervisor.

3 We would ask simply for either a dismissal or,
4 at worst, a letter of instruction on this issue. Again,
5 we have addressed all of these issues. Even recently,
6 we have gone through and made sure that everything is
7 laid out address by address, street by street. And we
8 even have some houses that were right on the
9 redistricting lines. So, we have had a lot that we have
10 had to address with this, but it should all be resolved
11 at this point, and we would simply ask for either a
12 dismissal or a letter of instruction on this.

13 CHAIR FERVIER: There were three issues. The
14 second one had to do with road construction. There was
15 no violation of time on that. Do you agree there was no
16 road issue?

17 MS. MARTIN: Yes.

18 CHAIR FERVIER: And then the third one was an
19 allegation of multiple equipment failures
20 (indiscernible) multiple equipment issues. Do you have
21 any comments about that?

22 MS. MARTIN: My understanding is that Mr.
23 Gillon was not aware of any issues when they went and
24 spoke with him. There was no one who could identify any
25 mechanical or machine issues that day, so I don't

1 believe that there were any.

2 CHAIR FERVIER: Okay. Any questions from the
3 board on this?

4 On Allegation 2 and 3, there were no issues
5 found. Board -- Chair will entertain a motion on those
6 two.

7 MEMBER KING: I make a motion to dismiss those
8 allegations.

9 CHAIR FERVIER: There's a motion to dismiss
10 Allegations 2 and 3. Is there a second?

11 VICE CHAIR JOHNSTON: Second.

12 CHAIR FERVIER: The motion is seconded. All
13 those in favor signify by saying aye.

14 (Ayes were heard.)

15 CHAIR FERVIER: Any opposition? Hearing no
16 opposition, so moved.

17 Allegations 2 and 3 are dismissed.

18 Allegation 1, there is evidence that there
19 were some issues with voters being in the wrong
20 district. It appears that has been corrected.

21 Now the chair will entertain a motion on
22 Allegation 1.

23 MEMBER KING: I move to issue a letter of
24 instruction.

25 CHAIR FERVIER: We have a motion to issue a

1 letter of instruction on Issue Number 1. Is there a
2 second?

3 VICE CHAIR JOHNSTON: Second.

4 CHAIR FERVIER: We have a motion to second.
5 Any discussion?

6 All those in favor of issuing a letter of
7 instruction signify by saying aye.

8 (Ayes were heard.)

9 CHAIR FERVIER: Any opposition? Hearing no
10 opposition, so moved.

11 MS. MARTIN: Thank you.

12 CHAIR FERVIER: We'll issue a letter of
13 instruction. Thank you. Safe travels.

14 MS. MARTIN: This does conclude my business.
15 May I be excused?

16 CHAIR FERVIER: Pardon me?

17 MS. MARTIN: This does conclude my business.
18 May I be excused?

19 CHAIR FERVIER: Absolutely.

20 MS. MARTIN: Thank you.

21 CHAIR FERVIER: Please leave.

22 MS. MARTIN: Happy Ash Wednesday. Peace be
23 with you.

24 CHAIR FERVIER: Thank you.

25 Next item on the agenda is SEB2024-247 Talbot

1 County.

2 MR. MILLS: The Office of the Secretary of
3 State received the following complaint for December 3rd,
4 2024, general runoff election in Geneva, Talbot County,
5 Georgia. The Geneva voting precinct in Talbot County
6 did not open at 7:00 a.m. because the poll manager was
7 late to arrive. Instead, it opened at seven minutes
8 after 7:00.

9 CHAIR FERVIER: Erica Chaney is respondent
10 here. Is Erica here or is she late? Sorry. Did I say
11 that out loud?

12 It doesn't appear that Erica's here. Any
13 questions from the board on this?

14 It appears that this did open up at 7:07, I
15 guess. Any questions from the board?

16 The chair will entertain a motion?

17 MEMBER KING: I make a motion to issue a
18 letter of instruction.

19 CHAIR FERVIER: We have a motion to issue a
20 letter of instruction. Is there a second?

21 MEMBER GRUBBS: Seconded.

22 CHAIR FERVIER: We have a second. All those
23 in favor, signify by saying aye.

24 (Ayes were heard.)

25 CHAIR FERVIER: Any opposition? Hearing no

1 opposition, so moved.

2 The next item is SEB2024-154, Meriweather
3 County Challenged Votes.

4 MEMBER KING: I just want to state there is a
5 documentary out on YouTube called No Time to Fail and it
6 kind of outlines and follows the 2020 election
7 (indiscernible) and outlines some of the work that
8 election workers have to go through. So when I see
9 things like this, the seven minutes passed, it makes me
10 think about all the steps, all the work, the lugging of
11 the machines, the loading, just all the stuff that has
12 to happen to open the polls.

13 And so I just -- I would like to recommend
14 that documentary. It's free on YouTube. Just look it
15 up, No Time to Fail.

16 MR. MILLS: All right. Meriweather County
17 received an email challenging a large number of
18 registered voters that appeared to come from a resident
19 of the county. His belief challenge was fraudulent and
20 made without knowledge of the resident whose name was
21 used to make the challenge.

22 CHAIR FERVIER: This involves a whole bunch of
23 counties, a whole bunch of election county staff. The
24 complainant is Peggy Threadgill (phonetic), respondent
25 is Sasha Williams.

1 Is Ms. Williams here? I hope so because I
2 have something I want to say to her.

3 Ms. Williams? No?

4 This one -- for the board, this one angered me
5 a bit because it appeared to be something that is just
6 unbelievable that somebody would waste time and energy
7 of all these election staffs with this kind of nonsense.

8 VICE CHAIR JOHNSTON: It's enough of a
9 challenge to deal with challenges, voter challenges and
10 voter registration challenges. To send out a fraudulent
11 list of over 5,000 challenges to multiple counties
12 concerning multiple residents is -- I think it's
13 terrible.

14 CHAIR FERVIER: The chairman would like to
15 exercise his right to make a motion on this, which does
16 not require a second. And the chairman makes a motion
17 that this case be sent to the Attorney General and the
18 DA.

19 MEMBER GRUBBS: Mr. Chairman, may I propose an
20 alternate thought?

21 CHAIR FERVIER: Yes.

22 MEMBER GRUBBS: My thought initially, before
23 you made your motion, was to continue this case and
24 subpoena this individual to come and have a public
25 meeting, because my concern is I'm all about sending it

1 to the AG's office and to the DA's office but I don't
2 want it to get sucked into the vortex of never-never
3 land and it's a while before we hear from it.

4 So I would like to see if you'd be willing to
5 amend your motion and continue the case until we can
6 have a subpoena issued and get this individual in before
7 us. Just a thought.

8 CHAIR FERVIER: So you're trying to say you
9 don't want me to have the one thing that will make me
10 happy?

11 MEMBER GRUBBS: Well, I mean, it actually
12 accomplishes more because it gives you the opportunity
13 --

14 CHAIR FERVIER: I understand.

15 MEMBER GRUBBS: -- to --

16 (Crosstalk.)

17 CHAIR FERVIER: I understand. I will withdraw
18 my motion.

19 I'll make a motion to continue this case.

20 MEMBER KING: Seconded.

21 CHAIR FERVIER: It does need to be seconded.

22 Any discussion?

23 All those in favor of continuing this case
24 signify by saying aye.

25 (Ayes were heard.)

1 CHAIR FERVIER: Chairman votes aye.

2 MEMBER KING: Would you like to make a motion?

3 MEMBER GRUBBS: Yes. Mr. Chairman, I would
4 like to make a motion that we issue a subpoena for this
5 individual that has got people doing all this busy work,
6 I believe it was Sasha Williams.

7 CHAIR FERVIER: Is there a second?

8 MEMBER KING: Second.

9 CHAIR FERVIER: We have a motion to issue a
10 subpoena for Ms. Sasha Williams. All those in favor,
11 signify by saying aye.

12 (Ayes were heard.)

13 CHAIR FERVIER: Any opposition? Hearing no
14 opposition, so moved.

15 MEMBER KING: I agree. She shouldn't have to
16 -- she doesn't need to go through it.

17 MEMBER GRUBBS: This also brings to light all
18 the good work that we have where people do actually do
19 the hard work and present good information that go
20 unnoticed and unrecognized.

21 CHAIR FERVIER: The -- the next item on the
22 agenda is SEB2025-023 Meriweather County Lone Oak
23 Failure to Hold a Special Election.

24 We received a request for continuance
25 yesterday on that and it's continued. So that case will

1 be continued to the next meeting.

2 The next item on the agenda is SEB2024-095
3 Monroe County.

4 MR. MILLS: The Secretary of State's Office
5 alleged that Monroe County Election Supervisor Kaye
6 Warren filed -- or failed to submit the elections result
7 report by the 11:59 p.m. election night deadline. It
8 was further reported that after being contacted by the
9 elections division, Ms. Warren stated she did not know
10 what the 11:59 report was and refused to submit it,
11 claiming she was tired and at home in bed.

12 THE COURT: Ms. Warren did provide a
13 statement. Ms. Warren had been up since about 3:30 in
14 the morning and had worked a very, very, very long day
15 and was probably not in the best of mind at midnight
16 when she got the call.

17 Ms. Warren, are you here by any chance? She's
18 in bed.

19 UNIDENTIFIED FEMALE SPEAKER: Taking a nap.

20 CHAIR FERVIER: Is there any questions from
21 the board on this case? Chair will entertain a motion
22 on this case.

23 MEMBER KING: I raise a motion to issue a
24 letter of instruction. Yeah, I recommend a motion to
25 issue a letter of instruction.

1 CHAIR FERVIER: We have a motion to issue a
2 letter of instruction to Ms. Warren. Is there a second?

3 MEMBER GRUBBS: I second.

4 CHAIR FERVIER: We have a motion to second.
5 Any discussion?

6 Hearing no discussion, all those in favor
7 signify by saying aye.

8 (Ayes were heard.)

9 CHAIR FERVIER: Any opposition? Hearing no
10 opposition, so moved.

11 I think I'm too tired to go on with the rest
12 of this agenda. Yeah, I'm kidding.

13 Next item on the agenda is SEB2023-024
14 Richmond County Residency Issue.

15 MR. MILLS: The Office of the Secretary of
16 State received the following complaint forward slash
17 request for information from Elizabeth Kuntz (phonetic).
18 Ms. Kuntz alleges that Charles Walker, a member of the
19 Richmond County Board of Education District 7 does not
20 reside within this district.

21 In 2020, Mr. Walker and his wife divorced and
22 he moved out of the district. On his notice of
23 candidacy and affidavit for the November 8, 2022,
24 election, Mr. Walker used his wife's address in District
25 7. This is a potential violation.

1 CHAIR FERVIER: I see Mr. Walker here.

2 MR. WALKER: Yes. This is Mr. Batson, my
3 attorney.

4 CHAIR FERVIER: All right. Are you going to
5 let your client speak?

6 MR. WALKER: At least we're not in bed.

7 I wanted to say thank you to the board for the
8 continuance back in January for us to prepare better
9 today. I believe you were passed out a binder just a
10 moment ago. It's not as thick as the law book that you
11 all have up there, but it does contain a lot of
12 information that we're going to try to get through.

13 Every case is different, and I understand the
14 complaint. I do understand the seriousness of this.
15 This is why I'm here today. This is why I showed up
16 last month. And I want to make sure that you guys know
17 a little bit about me because all you see is what's on
18 the -- I wanted to point out very quickly that if you
19 turn over to the inside of your binder, you may have
20 received an email from Ms. Coan earlier that had a lot
21 of the stuff that's in the binder but what's in the
22 binder in the front sleeve pocket to your left when you
23 open it up are two affidavits. One's from the board
24 attorney, Mr. Larry Fletcher. The other's from the
25 executive director of the Richmond County Board of

1 Elections, and that is Mr. -- sorry. This is Trevor
2 Doss. Travis Doss, sorry. And so those two are
3 included and they were not included in that email, as
4 you guys had seen in the email previously.

5 MR. BATSON: And those are the affidavits for
6 which we need ten minutes to get to today.

7 MR. WALKER: That's what we picked up extra
8 before we got here today. Anyhow.

9 CHAIR FERVIER: So tell me what this affidavit
10 says.

11 MR. BATSON: Which one is that one?

12 MR. WALKER: That one's from Mr. Fletcher.

13 MR. BATSON: Part -- Pete Fletcher is the
14 older brother of Larry Fletcher. Pete Fletcher had been
15 the board attorney for 40-something years. When the
16 issue first came up in 2020, Mr. Walker went to Mr.
17 Fletcher for advice. They discussed legal advice. He
18 got legal advice and they discussed domicile, and that's
19 basically intent where you want to reside. He's always
20 wanted to reside -- go back into the 7th District.

21 So that's what Mr. Fletcher advised. Pete
22 died in September of 2022 and he could have been here.
23 I'm having to put together everything that Pete could
24 have told you from the get-go. So Pete dies in 2022 and
25 then Mr. Walker, then, subsequent to that, then goes to

1 Larry, who is now the new board attorney, and gets the
2 same advice, domicile is based on intent.

3 And you'll see or hear from the statement
4 today that because of the vicissitudes of life and
5 economics, he has just not been able to buy a house back
6 in District 7.

7 CHAIR FERVIER: What paragraph in here tells
8 me that he got that advice, so I don't have to read the
9 whole thing.

10 MR. WALKER: Oh, okay. I see where you're
11 going.

12 MR. BATSON: And of course, Larry didn't know
13 about the direct advice that he had given -- that Pete
14 had given to Mr. Walker. But after being requested by
15 Mr. Walker what to do, Larry then started investigating
16 and talked to the board superintendent, who was around
17 at the time when his older brother talked to Mr. Walker.

18 MR. WALKER: It would be Page 4, Section N, at
19 the second to the last at the very bottom. Are you all
20 seeing that? I'm sorry.

21 MEMBER KING: You said N?

22 MR. WALKER: N at the bottom of page -- it
23 should be Page 3.

24 CHAIR FERVIER: I see you discussed it. Where
25 does it say he got the advice that his domicile was

1 where he's claiming.

2 MR. BATSON: Domicile is based on intent.

3 CHAIR FERVIER: It's based on what?

4 MR. BATSON: It's -- domicile is based on your
5 intent as a matter of law.

6 CHAIR FERVIER: Based on your intent?

7 MR. BATSON: Yes, yes. That's why I'm here.
8 I'm here to tell you my version of what the law is and I
9 think I'm correct. And he relied on Mr. -- he relied on
10 Mr. Fletcher giving that advice and that advice was,
11 domicile is based on intent, based on the research Mr.
12 Fletcher did, which is consistent with the research I've
13 done and you all talk to whoever and verify what their
14 opinions about domicile in Georgia. It's based on
15 intent.

16 So all sorts of circumstantial factors can
17 weigh in about what the person's intent is, and so the
18 good thing about that is the vicissitudes of life can be
19 accommodated, and someone who in good faith intends to
20 be in a district and does good works can still do that,
21 even though they may not be able to afford a house back
22 in that district. On the other hand, the intent allows
23 you -- allows you -- allows the -- allows the
24 authorities to prosecute those who try to gain the
25 system and take advantage. So domicile is intent.

1 CHAIR FERVIER: That sounds odd to me, but I'm
2 not an attorney.

3 MR. BATSON: I mean, is --

4 CHAIR FERVIER: I mean, if I intended to move
5 to Hawaii, that's not my domicile.

6 MR. BATSON: The issue is this. It allows for
7 individual cases, and in circumstances such as
8 running -- he can run for election, people down there
9 know where he's living, and yet they go ahead and elect
10 him. That's just a risk he has to take. They trust him
11 or they don't, but domicile is an intent issue.

12 It would be great if we always lived exactly
13 where we intended to live or wanted to live, but that's
14 not the case, but at least the law in Georgia, domicile,
15 allows for determination of intent. So that's the
16 advice he got, and as a matter of law, citizens are
17 allowed to rely on the advice of lawyers to conduct
18 their affairs. And so that's what he's done the whole
19 time.

20 And if you would, if you're here to let him go
21 ahead and tell you the background to this case, you'll
22 get an appreciation for why this all makes sense.

23 MR. WALKER: And I can understand jumping to
24 that to try to get clarification because it is
25 important. There were some circumstances that presented

1 themselves after the divorce and during -- well, right
2 before the divorce. I wanted to tell you a little bit
3 about myself, probably not that important right now
4 because it appears that you all want to get into the
5 meat of this and that's fine.

6 You know, I'm an Augusta guy. I've been on
7 the board for eight years. This would be, this coming
8 May, eight years. I was serving as vice president for
9 two years and two years, I served as president. When I
10 was -- knowing that I was going to be getting divorced,
11 knowing that I was going to be vacating the house
12 because it was awarded to my wife during the divorce
13 proceedings, I went to our board attorney and in the
14 investigative report, it asked me, did you seek legal
15 advice.

16 And yes, I went to the one person that I knew
17 that probably knew what I should probably do and that
18 was Mr. Pete Fletcher. And so we had a conversation and
19 Mr. Fletcher said, let me do some looking into this.
20 You just keep doing what you're doing.

21 I always have prefaced every conversation that
22 I've ever had concerning this issue with, I do not want
23 this to be a stain on the Richmond County Board of
24 Education, always, no matter who I was talking to. And
25 Mr. Fletcher said, look, don't let that be a problem.

1 I then followed up with him. He came back and
2 said, I've done some research. This shouldn't be an
3 issue for you and, you know, you just keep moving
4 forward.

5 Simultaneously in that, without anybody giving
6 me any legal advice or doing anything, my ex- wife and I
7 got together and created a lease and that's in the
8 binder there. And the lease says I'm the only person
9 that could have occupancy in that house and we did that
10 for a particular reason. I didn't want to be at the
11 home and have something happen where a policeman is
12 called or -- she's out of town.

13 She's a pharmaceutical rep and traveled quite
14 frequently at that time, so I would pick the kids up
15 from school. I would take them home, might have dinner
16 with them, do their homework. She may come back in
17 town, she may not. I would stay the night. And we felt
18 that that was necessary in order for me to be there so
19 that nobody could question why I was there. And that
20 was something that she and I did with -- and we did in
21 November of 2020. We were legally divorced in October
22 of 2020 and we immediately did that so that I could come
23 on the property, I wasn't violating anything, she gave
24 me the opportunity to do that, and it gave me the
25 freedom to come and go as needed with our two young

1 children there at the home.

2 So that is still in effect. It's not been --
3 it's not been nullified, it's not been expired. Today,
4 it's still in effect. So that lease agreement still
5 exists. If I go down chronologically, and you guys have
6 got the timeline here, and I don't know if it makes
7 sense to go through each one of them, time constraints
8 here.

9 CHAIR FERVIER: It doesn't.

10 MR. WALKER: I figured not. But you can see
11 it. But there are a couple of highlights that also I
12 feel are important to note. My ex-wife lost her job in
13 2022, a long-time pharmaceutical rep, and because she
14 had no income, she asked me to lend her money.

15 Her ex-husband, being the guy that he is, did
16 and a \$30,000 loan in March of 2024, which was held by a
17 promissory note, which is also in your binder. In May
18 of 2024, she asked for the same thing. I acquiesced and
19 gave it to her. So now I have equity in the house.
20 It's -- the money that I gave her with interest, because
21 it came out of my retirement fund, I didn't have \$30,000
22 for two chunks laying around, just to go, here's 30,
23 here's 30.

24 I took it out of my retirement fund. So it's
25 secured -- both of those are secured by promissory notes

1 that are in your binder that have interest payments to
2 today.

3 CHAIR FERVIER: Did she do a quick claim deed
4 with you?

5 MR. WALKER: She did.

6 CHAIR FERVIER: So you have a quick claim deed
7 saying that your own part of the house?

8 MR. WALKER: She did in August of 2024.

9 CHAIR FERVIER: How much time do you spend in
10 that house?

11 MR. WALKER: How much time do I spend in it
12 now?

13 CHAIR FERVIER: Yeah.

14 MR. WALKER: Not as much as I did when the
15 boys were there.

16 CHAIR FERVIER: That didn't mean anything to
17 me.

18 MR. WALKER: I understand that. From time to
19 time, I do go over there. I assist her with stuff.
20 She's still dealing with Hurricane Helene issues, which
21 is another tie to the home. She didn't have any credit.
22 She had severe damage to the house. I signed a line of
23 credit that enabled her to fix the damage to the house,
24 and now it's me who's responsible for it.

25 So the line of credit that I have with Wells

1 Fargo is in my name for repairs that have been done on
2 that house, and I'm just waiting for her to get the
3 insurance money back so that I can be made whole.

4 CHAIR FERVIER: Okay. Any questions?

5 MR. WALKER: Yeah.

6 UNIDENTIFIED FEMALE SPEAKER: No questions.

7 VICE CHAIR JOHNSTON: Mr. Chair, I think the
8 lawyer is right and Mr. Walker is correct that -- with
9 regards to intent of residents. When one is looking
10 forward and they intend to return to that, although
11 temporarily, be in another residence, they do not
12 (indiscernible) the residence. The way Georgia law is
13 written, the intent is to make it part of that
14 establishment of residency.

15 I don't always like it, but from my viewpoint
16 here, I think it is in the Georgia Election Code, and I
17 think we've sort of gotten tied up with the personal
18 family situation and divorce and other (indiscernible).

19 So when we're ready, I'm ready to make a
20 motion.

21 CHAIR FERVIER: Any other questions from the
22 board?

23 UNIDENTIFIED FEMALE SPEAKER: No.

24 VICE CHAIR JOHNSTON: Mr. Chair, I'm ready to
25 move to dismiss this case to the (indiscernible) of the

1 board.

2 CHAIR FERVIER: We have a motion to dismiss.
3 Is there a second?

4 MEMBER KING: Seconded.

5 CHAIR FERVIER: Motion is seconded. Any
6 further discussion?

7 All those in favor signify by saying aye.
8 (Ayes were heard.)

9 CHAIR FERVIER: Any opposition? Hearing no
10 opposition, so moved.

11 MR. WALKER: Thank you.

12 CHAIR FERVIER: I wasn't trying to be mean. I
13 was just trying to understand.

14 MR. WALKER: Yeah, I understand. No, I get
15 it. You're right. It was life happening, and it kind
16 of bumped up against this. I will let you all know, I
17 do not intend to run again. I do believe in term
18 limits, and I'm term limiting myself, so you won't have
19 to see me again.

20 MEMBER KING: Well, you certainly get the best
21 ex-husband of the year award.

22 MR. WALKER: Well, those were only the only
23 things that I'm telling you all about. There's other
24 stuff that I've done as well.

25 VICE CHAIR JOHNSTON: This is better than the

1 case from several years ago where the fellow had a --
2 had a post office box for his business to hide his
3 girlfriend's --

4 (Crosstalk.)

5 MR. WALKER: Well, I'm glad I didn't use that
6 as an excuse.

7 VICE CHAIR JOHNSTON: I'm just saying.

8 MR. WALKER: Thank you all very much. Have a
9 good afternoon.

10 VICE CHAIR JOHNSTON: That's real.

11 CHAIR FERVIER: I'm losing my voice here.

12 The next case on the agenda is SEB2024-054,
13 Coweta County.

14 MR. MILLS: On August 1, 2024, the Secretary
15 of State's Investigation Division received a complaint
16 alleging an absentee ballot application with an
17 electronic signature was emailed to the Coweta County
18 Elections Office on behalf of the voter by the
19 organization U.S. Vote Foundation, which is a potential
20 violation of the code that prohibits electronic
21 signatures.

22 CHAIR FERVIER: The respondent is Susan. I
23 can't even imagine how to pronounce the last name.

24 MEMBER GRUBBS: Sunnette (phonetic)?

25 CHAIR FERVIER: Sunnette? Okay.

1 Is the respondent here with the U.S. Vote
2 Foundation or anybody else speak on behalf of U.S. Vote
3 Foundation?

4 MEMBER GRUBBS: Isn't this the second one
5 we've had from the U.S. Vote Foundation?

6 CHAIR FERVIER: I don't recall. We have no
7 respondent here.

8 The findings were that there is a pre-filled
9 absentee ballot application that did not reference the
10 statutory language. That was substantiated. There were
11 documents. There's a document from -- attached, a
12 letter from the U.S. Vote Foundation, and these people
13 work with the overseas voters, military voters, to try
14 and assist them with voting, (indiscernible), and things
15 like that.

16 They claim the voter fills out 100 percent of
17 the ballots. They don't fill out any of the ballots.
18 100 percent is filled out by the voter and the voter
19 uses their own electronic signature on it. They write
20 the signature out and put it on there electronically,
21 take a picture of it.

22 So they're -- this organization claims that
23 they had absolutely nothing to do with it besides
24 sending out the ballot but they admit they did not have
25 the necessary language on there and they have --

1 subsequently, they don't allow Georgia to access -- or
2 Georgia citizens to access this anymore. They've been
3 around for 20-plus years, I guess, in a whole lot of
4 states.

5 Any questions from the board? I thought
6 the -- I thought the letter was pretty self-explanatory.
7 Chairman will entertain a motion.

8 MEMBER KING: I didn't -- no one's here to
9 explain this letter. I mean, I have questions about the
10 letter so I make a motion that we send it to the AG's
11 office.

12 MEMBER GRUBBS: I'll second that.

13 CHAIR FERVIER: We have a motion to send it to
14 the AG's office. Is there -- and a second.

15 Any discussion?

16 Hearing no discussion, all those in favor
17 signify by saying aye.

18 (Ayes were heard.)

19 CHAIR FERVIER: Any opposition? Hearing no
20 opposition, so moved.

21 Next item on the agenda is SEB2023-034,
22 Fayette County.

23 MR. MILLS: The Georgia Secretary of State
24 initiated this investigation following the receipt of an
25 online complaint regarding an ineligible elector

1 participating in Fayette County elections. The
2 complaint alleged that it mentioned the elector was in
3 violation of the code, qualifications of electors
4 generally, and another code section, voting by
5 unqualified elector or giving false information.

6 CHAIR FERVIER: Respondent is Lane Watts
7 (phonetic). Is Lane Watts here? Lane Watts is not
8 here.

9 Central violations, 21-2-284, qualification of
10 electors, and 21-2-571, voting by an unqualified
11 elector, and 21-2-562, fraudulent entries.

12 Any questions by the board?

13 Mr. Watts or Lane Watts or Mr. and Mrs. Watts
14 has multiple prior infractions and has been fined in the
15 past, so this guy is a frequent flier, apparently. It
16 certainly seems appropriate to send this one to the DA.
17 The Chair will entertain a motion.

18 MEMBER KING: I make a motion that we send
19 this case to the Attorney General's Office as well as
20 the district attorney -- the local district attorney's
21 office.

22 CHAIR FERVIER: We have a motion to send this
23 to the AG and the DA. Is there a second?

24 MEMBER GRUBBS: I second.

25 CHAIR FERVIER: The motion is seconded. All

1 those in favor signify by saying aye.

2 (Ayes were heard.)

3 CHAIR FERVIER: The chair will also exercise
4 the right to vote aye.

5 The next item on the agenda is SEB2023-096,
6 Fayette County, Accessibility Issues.

7 MR. MILLS: On December 6, 2023, the Georgia
8 Secretary of State Investigations Division opened an
9 investigation after receiving a complaint regarding
10 accessibility issues at Holy Trinity Church in Peachtree
11 City. This is a possible violation of SEB Rule
12 183-1-6.04, Accessibility for Elderly and Handicapped
13 Voters.

14 CHAIR FERVIER: Do we have somebody attending
15 by Zoom?

16 UNIDENTIFIED FEMALE SPEAKER: Yes.

17 UNIDENTIFIED MALE SPEAKER: I am her attorney.

18 CHAIR FERVIER: Okay. I have a list of Zoom
19 people. Respondent is Fayette County Board of
20 Elections.

21 Ms. Garrett, you say?

22 UNIDENTIFIED MALE SPEAKER: I'm from Fayette
23 County Board of Elections.

24 CHAIR FERVIER: Okay, great.

25 UNIDENTIFIED MALE SPEAKER: I also have

1 (indiscernible) here, the director of elections
2 (indiscernible).

3 CHAIR FERVIER: Please proceed.

4 UNIDENTIFIED MALE SPEAKER: This incident
5 occurred at Holy Trinity Church in Peachtree City. I'll
6 try to be as brief as possible. This occurred several
7 years ago under a previous director. Once it came to
8 our attention, we had to report and verify the location
9 where this polling place is located. It's actually a
10 church with multiple buildings and the polling place has
11 since moved to a different building, which we have
12 confirmed is ADA compliant and we confirmed that before
13 the election.

14 CHAIR FERVIER: So the new place has
15 sufficient ADA parking, you said?

16 UNIDENTIFIED MALE SPEAKER: Yes.

17 CHAIR FERVIER: Okay. Any questions from the
18 Board? The Chair will entertain a motion.

19 VICE CHAIR JOHNSTON: Mr. Chair, I move that
20 we issue a letter of instruction.

21 CHAIR FERVIER: We have a motion to issue a
22 letter of instruction. Is there a second?

23 MEMBER GRUBBS: Second.

24 CHAIR FERVIER: There's a motion to second.
25 All those in favor signify by saying aye.

1 (Ayes were heard.)

2 CHAIR FERVIER: Any opposition? Hearing no
3 opposition, so moved.

4 You will receive a letter of instruction on
5 this case, sir. Are you staying for the rest of the
6 cases?

7 UNIDENTIFIED MALE SPEAKER: Yes.

8 CHAIR FERVIER: All right. Next item is
9 SEB2024-112, Fayette County Ballot Paper Issue.

10 MR. MILLS: Mr. Chairman, I just want to say a
11 great job of showing and solving this sound problem.
12 Okay. Back to the case.

13 The Secretary of State's Office received a
14 notification of a self-reported incident that occurred
15 in Fayette County. Judy Flynn, polling manager for AIP
16 Number 37 polling station, advised that on June 11,
17 2024, between 4:30 and 4:40 p.m., Eugene Carter,
18 assistant manager, reported that a scam ballot was
19 printed on a copy paper at BMD Station 1.

20 CHAIR FERVIER: The respondent is Fulton --
21 Fayette County. Fayette County, please proceed.

22 UNIDENTIFIED MALE SPEAKER: Again, my name is
23 (indiscernible). Thank you for the motions.

24 I'll admit this is not the first time we've
25 been reporting on a ballot paper issue. We were here in

1 December of last year on a similar issue. And because
2 of these issues, we are taking steps to be proactive in
3 making sure this doesn't happen again. We've instituted
4 retraining of poll workers. We've also put in some
5 procedures to make sure that we're checking the printers
6 before they go out to polling places and making sure
7 that the paper's filled in. I'll hear your questions.

8 CHAIR FERVIER: So you just -- you have left
9 normal copy paper in the printer, correct?

10 UNIDENTIFIED MALE SPEAKER: Yes.

11 CHAIR FERVIER: Okay. Any questions from the
12 board? The chair will entertain a motion.

13 MEMBER GRUBBS: Mr. Chairman, I don't have any
14 questions, but I would like to say that considering this
15 is Fayette County and considering Ms. Sharlene Alexander
16 posted a rule about counting the total number of
17 ballots, this is a good example of why that was a great
18 rule.

19 MEMBER KING: Right. I make a motion that we
20 issue a letter of instruction.

21 CHAIR FERVIER: We have a motion to issue a
22 letter of instruction on SEB2024-112. Is there a
23 second?

24 MEMBER GRUBBS: Second.

25 CHAIR FERVIER: We have a motion to second.

1 All those in favor signify by saying aye.

2 (Ayes were heard.)

3 CHAIR FERVIER: Any opposition? Hearing no
4 opposition, so moved.

5 Next item on the agenda is SEB2024-112 Fayette
6 -- no.

7 UNIDENTIFIED FEMALE SPEAKER: That's 206.

8 CHAIR FERVIER: Not that one. SEB2024- 206
9 Fayette County, Improper Campaign Attire at Polling
10 Location.

11 MR. MILLS: On October 29, 2024, the Secretary
12 of State's Office received a complaint alleging that a
13 voter became hostile at the poll manager and clerk when
14 asked to remove their hat. It displayed the campaign
15 slogan, Make America Great Again, inside a polling
16 location. It was also alleged that the respondent used
17 a recording device inside a polling location during
18 active voting and these are potential violations of the
19 code section.

20 CHAIR FERVIER: Respondent is Michael Dunkel
21 (phonetic).

22 Mr. Dunkel, is that you?

23 MR. DUNKEL: It is, sir.

24 CHAIR FERVIER: Good. Would you introduce
25 yourself to the court reporter, please?

1 MR. DUNKEL: My name is Mike Dunkel. I'm just
2 a citizen.

3 CHAIR FERVIER: Just what?

4 MR. DUNKEL: A citizen.

5 CHAIR FERVIER: Just a citizen?

6 MR. DUNKEL: Yes, sir.

7 CHAIR FERVIER: Please proceed.

8 MR. DUNKEL: I know we're a little behind, but
9 I would like to add a little context to this, if I may?

10 CHAIR FERVIER: Absolutely.

11 MR. DUNKEL: It'll take an extra two or three
12 minutes. I knew at a very young age that I wanted to be
13 in the military because of what this country has done
14 both for me and --

15 CHAIR FERVIER: Where did you serve?

16 MR. DUNKEL: I served in the U.S. Air Force,
17 retired, 21 years of active duty, in 2014.

18 CHAIR FERVIER: Thank you for your service.

19 MR. DUNKEL: The reason that I wanted to be in
20 the military, and I knew at such a young age, is because
21 of how much the military and this country gave to me.

22 My father would have been dead by the age of
23 40 if not for the Army. Every single person he knew
24 growing up, jail or dead. The Allies liberated the
25 concentration camp that my grandfather was in. The

1 Russians actually liberated the one that my grandmother
2 was in and 11 years later, my family emigrated to the
3 United States during the Hungarian Revolution. I grew
4 up with stories of what the U.S. meant to them, what the
5 Constitution meant, what the Bill of Rights meant, and
6 what -- how important our rights are to us.

7 So on that day, with -- just knowing that, on
8 that day I went to vote. I didn't think anything of
9 wearing a MAGA hat. I didn't know that it was not
10 allowed, almost like if you're going to the Braves game,
11 you wear your Braves hat. I was going to vote, so I
12 wore my MAGA hat.

13 There was a person outside screening voters
14 before they went in the building. I didn't take the hat
15 off. I didn't try to hide it. I walked -- she just let
16 me in. And while in the polling place, minding my own
17 business, not talking to anyone, and kind of with my
18 arms crossed and my head down and from across the room,
19 someone talked to me like I was a dog that just went to
20 the bathroom after being outside for the last ten
21 minutes.

22 Hey you, take that hat off.

23 Didn't know exactly if they were talking to
24 me, but assumed they probably were. I said, why do you
25 want me to take my hat off?

1 He said, you're campaigning in a polling
2 place. You're not allowed to do that.

3 I told him, I said, I'm not campaigning. I'm
4 just wearing a hat that says Make America Great Again.

5 As an aside, campaigning, to me, seems like
6 somebody with intent to change someone's vote. It's an
7 action. I was only wearing a hat. In fact, by wearing
8 that hat, anybody on the fence more likely would be
9 like, look at that guy. I'm going to do something to
10 make him angry and vote against him.

11 There's nobody that was voting for the other
12 side that's going to look at me wearing a hat and say,
13 hmm, I've really been living my life wrong. I'm going
14 to change my vote, which is really the essence of
15 campaigning, is trying to get somebody to change their
16 vote.

17 That was never my intent. I spent too much
18 time in the military, I lost too many friends, I missed
19 too much time away from my family, missing them growing
20 up, all to protect the Constitution. It's what I swore
21 an oath on. And I would never -- I don't want my rights
22 taken away, but I would also never dream of infringing
23 on somebody else's rights by just wearing a hat. I
24 mean, that's just -- it's abhorrent to me to think that
25 maybe I tried to interfere with somebody's right to vote

1 or intimidated them because I wore a hat that said, Make
2 America Great Again.

3 So when she said, you're campaigning, it
4 didn't make any sense to me. And I said, no, I have the
5 right to free speech. I'm going to leave the hat on.

6 At that point, the campaign workers, there's
7 multiple campaign workers, they're shouting at me,
8 they're not happy that I won't take the hat off, acting
9 completely unprofessionally. And they said, well, then
10 we're not going to let you vote.

11 I said, you're telling me that after all this
12 time that I gave, you're going to -- to protect your
13 rights, you're going to take mine away and not let me
14 vote?

15 And they just got really angry. There's two
16 or three women now shouting at me. So I thought I need
17 to de-escalate the situation. So I thought, if I bring
18 my phone out, they would remember who they are and where
19 they are, and they would de-escalate the situation, and
20 I would have something to prove my side of the story,
21 but I failed utterly. I got no good recording, and it
22 just made them angrier.

23 So one of the women came and swiped at the
24 phone. She hit me. I didn't get hurt, no big deal.
25 But she did -- she took the law into her own hands,

1 trying to enforce it, I guess. I don't know what her
2 rationale was, but she took a swipe at me. I quickly
3 put the phone away, and a supervisor stepped in and
4 said, let this person vote. I thought that was the end
5 of it and I put my phone away, I voted, and I left.

6 And then spoke with, obviously, the Fayette --
7 they called the detectives, came to my house that night,
8 spoke with them. He said there was a videotape of the
9 entire incident, and after watching the tape, he told
10 me, both on the phone and via text, that after seeing my
11 version, after seeing the tape and hearing me talk to
12 him, he agreed with my version of the story. He thought
13 that the whole thing would be a dropped matter based off
14 the fact that he said that the poll worker was possibly
15 guilty of simple assault, and he thought the whole thing
16 would just go away.

17 I said I was not interested in pursuing that.
18 I said I would just rather let bygones be bygones and
19 let it drop. Here I am.

20 CHAIR FERVIER: I appreciate you showing up
21 today. It certainly makes a difference when people show
22 up and tell their side of the story. And I want to say,
23 I have very little tolerance for people assaulting or
24 being mean or rude to any of our election workers
25 because I know how hard they work and what a difficult

1 job they have. And so listening to your side of the
2 story helps me understand a little better about what
3 happened.

4 You understand, of course, that some place
5 where the line has to be drawn on campaigning, and when
6 you have a word or a phrase that's associated with a
7 particular candidate, then that can be viewed as
8 campaigning even though you may not be asking for
9 people's votes. You know, the fact that you have a I'm
10 voting for so-and-so with a slogan, people will view
11 that as campaigning sometimes. It's hard to draw that
12 line, though. It really is sometimes.

13 MR. DUNKEL: I'd agree.

14 CHAIR FERVIER: And I'm glad that -- that your
15 -- your testimony or your comments today are a little
16 bit different than what you'd understand by just reading
17 this complaint. So I'm glad you showed up for that.

18 MR. DUNKEL: Yes, sir.

19 UNIDENTIFIED MALE SPEAKER: Chair, if I could
20 just add, there is video if you all want to see it.

21 CHAIR FERVIER: It -- does it say anything
22 different than what he's telling us?

23 No? Okay. Then I'll take your voice for
24 that. So I just want to make those comments.

25 Any other comments from the board?

1 MEMBER KING: Thank you for your service, and
2 I agree with our chairman that, unfortunately, the hat,
3 T-shirts, things of that nature does constitute election
4 -- trying to -- I guess what they're saying is that you
5 may influence someone that may be undecided by looking
6 at whatever you're wearing. I personally agree with
7 you. I think that we are all adults, and you can't make
8 a decision without, you know, being told by looking at
9 someone's shirt or hat, but it is --

10 MR. DUNKEL: I understand there has to be a
11 line drawn and had the woman outside who was screaming
12 just, in a professional manner, said, sir, you're not
13 allowed to campaign here. The Georgia State Election
14 Board has stated previously that wearing a hat like this
15 constitutes campaigning. Would you please take it off?

16 I would have just taken the hat off.

17 CHAIR FERVIER: Yeah, yeah. Slogans, if they
18 didn't work, nobody would use them.

19 MR. DUNKEL: Yeah.

20 CHAIR FERVIER: So --

21 MEMBER KING: We have to admit, though, that
22 this is the one slogan -- I mean, it's (indiscernible)
23 campaign -- every campaign has a slogan. I don't know
24 if every campaign slogan is as popular, but every
25 campaign has a slogan and so, you know, I assume that go

1 back and forth on the slogan arguments, because it's not
2 necessarily saying vote for this candidate. But, you
3 know, I digress.

4 CHAIR FERVIER: Yeah. Any other comments?

5 MEMBER GRUBBS: Mr. Chairman, I'll just say
6 that I hear what you're saying. I kind of take a little
7 bit of a different approach, because while there can be
8 the connotation that that particular slogan is
9 identified with a particular campaign, I still err on
10 the side of caution on free speech. And, you know, it
11 aggravates me, because I think, what, are we not going
12 to be able to wear an American flag T-shirt when we go
13 vote and we're just doing something, you know,
14 patriotic.

15 So, first of all, thank you for your service
16 very much. And, you know, you just seemed like a
17 reasonable person. If someone would have come up and
18 said, hey, did you know that that can be considered
19 campaigning? You know, you really need to leave the hat
20 in your car and it's okay.

21 I'm sure you would have probably said, oh,
22 yeah, I didn't even think about it. I'll be happy to do
23 that.

24 MR. DUNKEL: I'm accustomed to doing what I'm
25 told. I mean, 21 years of following --

1 MEMBER GRUBBS: If you're in the service,
2 absolutely.

3 MR. DUNKEL: Also, I'm not a habitual
4 lawbreaker. I mean, I haven't even had a speeding
5 ticket since 1997. So this is -- this is way out of my
6 league, for me coming here to talk to you.

7 MEMBER GRUBBS: Well, thank you for your
8 service and we just -- we do have to be mindful of those
9 kinds of things. I think a point can be made that
10 that's not a campaign slogan. To some people, you know
11 what? That's a way of life. It's not a slogan.

12 MR. DUNKEL: Yes, ma'am.

13 MEMBER GRUBBS: So, anyway.

14 CHAIR FERVIER: The chairman will --

15 MEMBER KING: I make a motion that we issue a
16 letter of instruction which just clearly outlines all of
17 the codes that you had, that you (indiscernible), and
18 you can reference it.

19 CHAIR FERVIER: Do you understand what the
20 letter of instruction is?

21 MR. DUNKEL: I do.

22 CHAIR FERVIER: Okay. We have a motion to
23 issue a letter of instruction? Do we have a second?

24 MEMBER GRUBBS: Second.

25 CHAIR FERVIER: We have a motion and a second

1 by Member Grubbs. All those in favor signify by saying
2 aye.

3 (Ayes were heard.)

4 CHAIR FERVIER: Any opposition? Hearing no
5 opposition, so moved. Thank you, sir.

6 MEMBER KING: Thank you for your service.

7 CHAIR FERVIER: Next item on the -- chair will
8 entertain a motion for a five-minute recess. Five
9 minutes. That's all. Five minutes. A recess of five
10 minutes.

11 (A recess was taken.)

12 CHAIR FERVIER: This is a continued case.

13 VICE CHAIR JOHNSTON: The investigation was
14 opened up when the Secretary of State's Office received
15 a complaint from the polling location manager, Michael
16 Carver, who alleged that a Democratic poll watcher at
17 Fayetteville First Baptist Church polling location gave
18 the voter a blue card that was later determined to have
19 had Harris-Waltz on it. This would be a violation of
20 Section 21-2-414. Thank you.

21 CHAIR FERVIER: We had asked that the
22 Democratic Party and Harris-Waltz's campaign, we had a
23 respondent notify if they were attending the meeting.

24 Were they notified, Ann?

25 UNIDENTIFIED FEMALE SPEAKER: We were unable

1 to notify them but we attempted to (indiscernible).

2 CHAIR FERVIER: Okay.

3 UNIDENTIFIED FEMALE SPEAKER: But I know we
4 weren't able to do it.

5 MEMBER KING: I'm going to -- while they're
6 doing that, I'm going to speak to why I want to continue
7 this and what I researched.

8 CHAIR FERVIER: Please, go for it.

9 MEMBER KING: So I want to continue this case
10 because I wanted to determine first if this was an
11 isolated incident and identify exactly who was behind
12 the distributing these cards. And while I have a strong
13 indication of who it was, I don't want to speculate, and
14 I'm going to see what Mr. Patton comes back with.

15 However, I did discover that these cards were
16 issued in more than one county. They were dropped off
17 in stacks, clearly labeled with the name of a specific
18 poll worker or poll watcher that they wanted to have
19 these cards. And this was of deep concern for me
20 because even if an individual poll worker or poll
21 watcher fails to remember that the state rules regarding
22 electioneering, the organizations that printed these
23 cards are fully aware that you cannot have these cards
24 inside of a polling place, particularly within the 150
25 feet that is required.

1 So this wasn't just an isolated
2 misunderstanding. It was a coordinated effort to drop
3 these cards off and ensure that those who voted
4 provisionally had access to this phone number, which we
5 did try to call, and I think it was disconnected at this
6 point. But either way, it was a concerted effort.

7 So my claim or push is, if you see anything
8 like this during the upcoming election, please, please,
9 please speak up and speak up in real time. I'm asking
10 every county to pay close attention to these types of
11 deliveries. From what I was told from an election
12 worker in another county, that they -- when the delivery
13 came with these cards, they just put it on the table
14 because it had a name associated to it. So they felt
15 like it was just something for that person. They didn't
16 go through it. They didn't look at it. They didn't see
17 if there were any type of campaigns written on it or any
18 type of information on it that shouldn't be.

19 So I would suggest that if you see these blue
20 cards or if you do see a stack of cards or a stack of
21 anything come in, particularly if it's dropped off by a
22 political party or a representative of that party,
23 regardless of the party, to please speak up and let them
24 know because that -- they are absolutely breaking the
25 law.

1 And I also would like to encourage our
2 counties to properly train their staff to be aware of
3 this type -- this type of involvement and how this can
4 happen through just, you know, a little bit of a slide
5 is all that's in play here.

6 But I don't know that that -- I know we spoke
7 and I told him that I did not want to call in. I
8 started to ask that the Democratic Party of Georgia be a
9 respondent because I believe, from my understanding,
10 these cards kind of went through the one place, through
11 them, and then passed out to everyone else, so -- and I
12 don't know, maybe the Democratic Party of Georgia is not
13 aware that that is breaking the law but they should know
14 that.

15 CHAIR FERVIER: Any other comments from the
16 board? Chair will entertain a motion on this case?

17 MEMBER KING: See, I didn't motion that we
18 dismissive case since we do not know exactly who the
19 respondent is and to just make sure that we watch for
20 more.

21 CHAIR FERVIER: Did we handle Mr. Bill's case
22 last time?

23 MEMBER KING: We did. We dismissed it.

24 CHAIR FERVIER: Okay. That's right. We have
25 a motion to dismiss. Is there a second?

1 MEMBER GRUBBS: Second.

2 CHAIR FERVIER: We have a motion and a second.

3 Any discussion?

4 All those in favor of dismissing this case,
5 signify by saying aye.

6 (Ayes were heard.)

7 CHAIR FERVIER: Member Grubbs?

8 MEMBER GRUBBS: Aye. Sorry.

9 CHAIR FERVIER: Any opposition? Hearing no
10 opposition, it's dismissed.

11 If you all will give me just one moment, I
12 want to confer with Dr. Johnston on something. Thank
13 you.

14 I want to bring up a topic before we go to the
15 next case. We have 23 cases left to go through today.
16 It's 4:00 o'clock. And then we have the old business
17 and public comment after that. And discussing this with
18 Dr. Johnston about whether we want to -- I don't know
19 how to do this today is the reason why, frankly.

20 And so would this board want to try and power
21 through everything and stay here late or move the old
22 business and public comment to tomorrow and have
23 sufficient time for that in the morning to discuss it?
24 What is the rule of the board on that? We're going to
25 be late today anyway with 23 cases. I mean, it's

1 just...

2 MEMBER GRUBBS: I would think we need to
3 continue on with the cases.

4 CHAIR FERVIER: We need to finish the cases
5 today.

6 MEMBER GRUBBS: Today. And then start with
7 the old business tomorrow and I know it's disappointing
8 when we have public comment scheduled and people are
9 here for public comment and that kind of thing, but it's
10 going to be late anyway, no matter what. So I'm fine
11 with getting through the cases and having the old
12 business in the morning.

13 CHAIR FERVIER: So for those of you who have
14 been waiting with bated breath all day to hear this old
15 business, we're going to discuss it in the morning.
16 We're going to do the public comment tomorrow so we're
17 not here until 9:00 o'clock tonight. So those of you
18 that are here for the cases, we will finish the cases
19 today, no matter how long it takes. We will finish the
20 cases today. And then we'll finish the rest of the
21 agenda in the morning.

22 So our next case in the agenda is SEB2022- 068
23 Fulton County Double Voter.

24 Welcome back. Do you want to read that real
25 quick?

1 MR. MILLS: Sure. I'm sorry. I'm in a
2 trance.

3 CHAIR FERVIER: You need one of these. I'm
4 telling you, you need one of these Starburst.

5 MR. MILLS: Which case is this?

6 CHAIR FERVIER: 068. 068.

7 MR. MILLS: 068, got it right here. The
8 Secretary of State's Office received from a citizen a
9 list of several electors who potentially have two voter
10 identification numbers assigned to one person, who may
11 also cast double ballots in past elections. After the
12 election division refined the list, the investigations
13 division received a list of 20 pairs of voters who
14 potentially violated OCGA 21-2-52-repeating voting in
15 the same primary or the same election.

16 And this is the November 3, 2020, general
17 election and the January 5, 2021, general election
18 runoff.

19 CHAIR FERVIER: Now, I have a -- actually a
20 whole bunch of respondents on this. Let me call them
21 out.

22 VICE CHAIR JOHNSTON: We have -- actually,
23 this is a part of a continued case where we decided on a
24 number of these and I believe we were left with two
25 respondents.

1 CHAIR FERVIER: Which two are those?

2 VICE CHAIR JOHNSTON: Those two are...

3 CHAIR FERVIER: This -- actually, this was --
4 this was -- we brought Fulton in and helped provide
5 documents to the investigator, (indiscernible).

6 VICE CHAIR JOHNSTON: And documents?

7 CHAIR FERVIER: Yeah.

8 VICE CHAIR JOHNSTON: There were two voters.
9 Williams. Williams and --

10 CHAIR FERVIER: Edward Williams?

11 VICE CHAIR JOHNSTON: Yes, Edward.

12 CHAIR FERVIER: Hyacinth Stephanie Clarke?

13 VICE CHAIR JOHNSTON: One second.

14 CHAIR FERVIER: Is Edward Williams here or
15 Hyacinth Stephanie Clarke?

16 No? You don't want to speak?

17 MS. CLARKE: I'm here for another case.

18 CHAIR FERVIER: Okay. All right. So the
19 portion of this was continued based on Fulton County
20 provided documents to investigators.

21 Does Fulton County have a response to that?

22 FEMALE ATTORNEY: Yes. And if you'll recall,
23 I was here in December for Walker County and this is the
24 same issue. We could not provide records because they
25 don't exist. These double votes did not happen. There

1 is an issue and such that the last meeting, Fulton
2 County has spoken to the Secretary of State's Office.
3 There was an issue when they transferred from eNet to
4 GARViS with a duplicate record where one of the records
5 was canceled, the voting history sort of transferred to
6 both the canceled and the active registration in GARViS.

7 The Secretary of State told staff how they
8 could, outside of GARViS, locate that. We would have
9 gotten that in a packet of materials where we can look
10 up each of the individual's voter history on the MyVoter
11 page. And you can see that only one of the
12 registrations has credit for voting and the canceled
13 registration does not have credit for voting for that
14 election but something has happened with GARViS where it
15 is showing that these are double voters.

16 But the reason why we could not produce any
17 records of the second vote is because it didn't happen.
18 And this was not -- they didn't show up as double votes
19 when the system was still in eNet. This issue started
20 showing up in the transfer to GARViS.

21 So there's -- and I can't speak to the
22 technical, what's happened in the transfer from eNet to
23 GARViS, but my understanding is when staff talked to the
24 Secretary of State's Office and when I was with Walker
25 County, we had spoken to the investigator and they had

1 verified that that was an issue. The county doesn't
2 have access to eNet anymore but now when you go to the
3 MyVoter page, and you should have all of the voters that
4 were still remaining on the investigator's report, you
5 can see that only one of their voter registrations has
6 credit and the canceled registration does not have voter
7 history.

8 VICE CHAIR JOHNSTON: The complainant is Mr.
9 Fraser (phonetic).

10 MR. FRASER: Correct.

11 VICE CHAIR JOHNSTON: Could you -- could you
12 share with the board your method or your data of how you
13 found -- what you searched or reviewed and came up with
14 the possibility of double registration and double vote?

15 MR. FRASER: Sure. So this -- these were from
16 back in 2022. I went through the Fulton County voter
17 rolls and I found approximately 10,000 people that were
18 registered more than one time, just within Fulton
19 County. So I turned that list in to the county and when
20 I did that, I simply looked on that voter roll, which
21 was dated before these people were merged, before GARViS
22 existed, and on that voter roll, and I still have that
23 voter roll here, it showed a date last voted of
24 11/3/2020 on all four IDs.

25 So two people, four IDs, and again, the voter

1 roll shows a date last voted, so I don't know how this
2 -- how there could have been a mix-up with GARViS and
3 with merging if this all happened before GARViS and
4 before the county even knew they were double registered.
5 So I see different data, but I went on further to
6 prepare for this, and I went on there and I looked at
7 the voter history file before the GARViS transition, and
8 that also showed credit for all four IDs, showing the
9 November 2020 election, a vote on that.

10 So again, that's what the data shows, before
11 the merge, before anybody knew they were double
12 registered, and before GARViS. So again, I think that
13 answer, even though that sounds nice and we've got
14 everything fixed, that's just not really the case.

15 But then I went a little bit deeper and I
16 looked at the absentee voter file, and for some of the
17 folks that aren't into the weeds as much, that's the
18 file that's created every night during early voting that
19 shows everyone that has requested an absentee ballot,
20 returned an absentee ballot, and had an absentee ballot
21 counted. I went in that file, and only one of those
22 four IDs showed that they even requested an absentee
23 ballot. So that's another disconnect in the data.

24 And also I looked at the numbered list of
25 voters, and that's the list of -- we try to get every

1 election that the Secretary of State now refuses to give
2 us because they say time stamps compromise ballot
3 security, it's against the law.

4 Well, they have that information, so I think
5 they're admitting they're breaking the law. But at any
6 rate, that -- the numbered list of voters for Election
7 Day 2020 in Fulton County does not have any one of those
8 four IDs. So what I'm saying is the voter roll, the
9 voter history files pre-merge, both show four votes
10 each, but the absentee voter file doesn't show that that
11 person that even requested that the absentee ballot
12 returned it.

13 So that says no votes there and no votes for
14 the Election Day voting. So again, it just goes on to
15 show how bad the data is in Georgia, that you can't
16 really audit an election if voter history files, voter
17 rolls, nothing matches, which makes it very difficult to
18 say -- I mean, I can't say with any certainty that these
19 people voted at all. But what I can say is the data
20 shows votes, and the data shows no votes. So really
21 what we need is a clean system where everybody knows who
22 voted, how they voted, and anybody can do an audit of
23 the election. So that's the biggest problem here.

24 And the other problem is the fact that I, as a
25 citizen, found 10,000 people registered more than once

1 in Fulton County when the ERIC system claims that they
2 find duplicates and merge them, Secretary of State
3 claims they find duplicates and merge those. And the
4 county, according to Georgia law, is supposed to, from
5 time to time, maintain the voter rolls. They failed
6 also.

7 So I think I'm in the wrong position as a
8 citizen to do ERIC's job, Secretary of State's job, and
9 Fulton County's job, and then identify, or do my best to
10 identify fraud in this state. Everybody's failing, and
11 a citizen should not be doing this job.

12 MEMBER GRUBBS: Can I ask a question? As far
13 as Fulton County goes, do you all have data analysts
14 that proactively look at things like this, like what Mr.
15 Fraser does?

16 FEMALE ATTORNEY: We have a policy. I mean,
17 we have -- there is a general voter maintenance -- voter
18 list maintenance policy that we go through. That was
19 also provided in the packet. Now, I don't know what
20 he's looking at. I haven't -- when we get -- all we get
21 is the summary report from the Secretary of State's
22 investigator. I don't have everything that you have.
23 The only thing that was listed in this complaint is that
24 we failed to produce records of the double votes. I'm
25 saying we can't produce records that don't exist, as far

1 as --

2 MEMBER GRUBBS: Right, but what I want to know

3 --

4 FEMALE ATTORNEY: Right. So if you will look
5 in the packet that you were emailed yesterday, and I
6 think you got a hard copy today, it reviews just the
7 monthly voter file audit that occurs. And part of that
8 is looking for duplicate records, part of it is looking
9 for invalid addresses, partial address records,
10 unmatched precinct assignments. The registrar works
11 with the GIS team and everybody (indiscernible) on a
12 monthly basis to try and solve those.

13 Now, the department has more information. The
14 citizens have as well. For example, you may have what
15 looks like duplicates, same address, same name. But the
16 voter registration list doesn't show one's a junior and
17 one's a senior. But they can see that; they can see the
18 birthdates. So sometimes there are items that flag, and
19 then we look at them, and they don't believe it is a
20 duplicate. But you can look at this policy.

21 MEMBER GRUBBS: With that amount of
22 information that we just got yesterday even though this
23 case was continued and we didn't have that information
24 previously, I haven't had a chance to comprehensively go
25 through it, but my question is, do you have data

1 analysts, dedicated people in Fulton County Board of
2 Elections and Registration that actively look for issues
3 like this?

4 FEMALE ATTORNEY: It's part of the just
5 regular voter list maintenance.

6 MEMBER GRUBBS: So that would be a no?

7 FEMALE ATTORNEY: I mean, it's -- as a
8 department --

9 MEMBER GRUBBS: They're not doing it. This is
10 the third month in a row. I mean, they keep --

11 (Crosstalk.)

12 MEMBER GRUBBS: -- a meeting every month --

13 FEMALE ATTORNEY: Well, I mean, it's always a
14 process. I mean, the voter list changes all the time.
15 It is always an ongoing process.

16 MEMBER GRUBBS: That's why I'm asking that.

17 FEMALE ATTORNEY: It is something that staff
18 --

19 CHAIR FERVIER: Excuse me. The -- the court
20 reporter has a really hard time getting everybody down
21 when we all speak at the same time so if we could just
22 speak one at a time --

23 FEMALE ATTORNEY: Now --

24 CHAIR FERVIER: -- so that we have the court
25 reporter over there to make sure that she gets

1 everybody's comments.

2 FEMALE ATTORNEY: I just --

3 MEMBER GRUBBS: Excuse me just a moment. All
4 I said was, do you have dedicated data analysts to stay
5 on top of this? I understand you have routine
6 procedures as far as registration goes but I'm saying,
7 does Fulton County Board of Elections and Registration
8 have any data analysts, as it is a moving target, as you
9 said, with voter registration, that go through and do in
10 general like what Mr. Fraser has done, and that would be
11 a yes-or-no answer.

12 FEMALE ATTORNEY: I cannot answer that
13 question. I was retained Monday so I don't have these
14 kind of details but also, I don't know what he is doing.
15 I don't know what databases he's using, because we don't
16 receive that from the Secretary of State.

17 MEMBER GRUBBS: Well, he just explained he is
18 using publicly available data. So you don't have to do
19 anything very special --

20 FEMALE ATTORNEY: Right. And there are --

21 CHAIR FERVIER: Wait until she's done.

22 MEMBER GRUBBS: -- to know what he's doing.

23 FEMALE ATTORNEY: I'm sorry. And there are
24 lots of items that we use. We get the ERIC data. We
25 get information from the Secretary of State. We get

1 obituary records. We get health records. There's all
2 kinds of items that are used, as well as this process
3 that we've laid out in the policy --

4 MEMBER GRUBBS: Which is apparently not
5 working.

6 FEMALE ATTORNEY: Respectfully, that is not
7 part of this case. If the board -- if the state
8 election board wants to open up a separate case, but
9 this case matter is about double voting. And I can tell
10 you that double voting did not occur.

11 MEMBER KING: When you say it did not occur,
12 did those show --

13 FEMALE ATTORNEY: That there are -- Okay.
14 Fulton County was not named as a respondent
15 specifically, although the findings cite that Fulton
16 County may have violated the record retention laws and
17 failure to produce records to the investigator. We
18 cannot produce records that do not exist. And I'm
19 saying I'm confident that these double votes did not
20 occur and these records do not exist. We can't violate
21 law with these records that don't exist.

22 MEMBER GRUBBS: How do you prove one doesn't
23 exist?

24 BOARD MEMBER: Now I'm really confused.

25 FEMALE ATTORNEY: You can look -- I've

1 provided, obviously, my voter page that demonstrate that
2 there is only one of the -- one of the voter
3 registrations has votes on it. The other registrations
4 do not.

5 Now, as to the specifics of exactly what
6 happened with the data migration, I can't answer that
7 specifically. My understanding is that the Secretary of
8 State has acknowledged that there is some kind of issue
9 that occurred, which is why they told us, don't pull the
10 merged record up in GARViS. You need to look at the
11 MyVoter page. But I can't speak exactly for the tech
12 people at the Secretary of State's office to get a
13 clearer understanding on that.

14 VICE CHAIR JOHNSTON: Would you say that for
15 every voter credit, there must be a paper document
16 that's supports that voter credit, that the voter either
17 applied for an absentee ballot --

18 FEMALE ATTORNEY: For the returned --

19 VICE CHAIR JOHNSTON: -- or applied for a
20 ballot in person?

21 FEMALE ATTORNEY: We have those records for
22 the one vote. We don't have records of a double vote,
23 because they didn't occur. So, what the investigator is
24 looking for is that they either came in person one time
25 and they got subpoenaed when they came in -- they voted

1 once, so we have -- as far as I know, we've not -- the
2 investigator did not say we've not produced any records.
3 It's that we didn't produce records of this alleged
4 second vote.

5 VICE CHAIR JOHNSTON: Do you have an
6 explanation of why two different voter registrations,
7 presumably the same person, received voter credit, but
8 there's not documentation to prove that -- to document,
9 to back up that voter credit?

10 FEMALE ATTORNEY: You -- maybe the Secretary
11 of State's office could provide information. My
12 understanding is that originally, in the original
13 system, that it did not show up that way. I don't have
14 the data. I don't have access to eNet anymore to verify
15 that. But, again, this is the same issue that happened
16 in Walker County. Now, they actually have a screenshot
17 still of the eNet, because the issue had arisen before
18 they lost access. And I can't -- I don't believe that
19 this is unique to Walker and Fulton County. I think
20 this has got to be a statewide issue.

21 MEMBER KING: And that's (indiscernible)
22 evidence it's around the state.

23 FEMALE ATTORNEY: Right. In that case, the
24 investigator contacted them before they lost access to
25 eNet, so they were able to screenshot it and they kept

1 it. I don't have it here, but I can't believe that it
2 was only Walker and Fulton County that this happened to.
3 I think this is probably a wider issue.

4 CHAIR FERVIER: Any further questions from the
5 board?

6 MR. FRASER: Can I elaborate? Yeah, I just
7 want to be very specific. So the data that I'm
8 downloading, because there were some questions, I'm
9 downloading that directly from the Secretary of State's
10 Office, the voter history file. Anybody can download
11 that from the Secretary of State's Office any time they
12 want. So that's the voter history. The absentee voter
13 file is right on the Secretary of State's site. And the
14 voter rolls that I work with were purchased directly
15 from the Secretary of State's site. So I'm not going
16 anywhere else. I'm not making up information. All I'm
17 doing is comparing data files.

18 And the other thing, it was just stated here
19 that the one individual was given credit for voting.
20 And I'm looking at Ms. Hyacinth Clarke's absentee voter
21 file. This is a file directly downloaded from the
22 Secretary of State's Office and it shows that she had an
23 application date, a ballot issue date, but no ballot
24 return date and it says main in. So if it was never
25 returned, how was it ever credited?

1 So again, just one more clerical error, if you
2 will, which seems like that's all Fulton County does is
3 run clerical errors. But again, nothing matches. So
4 that's what I'm trying to get to is we've got to raise
5 the standard here to where there can be an audit of an
6 election. Right now, they cannot have it.

7 MEMBER GRUBBS: So let me ask a question for
8 Fulton County. Do you have, and I'm going to ask you
9 about a data analyst that you routinely doing these days
10 in Fulton County, which the answer appears to be no.

11 FEMALE ATTORNEY: I can't -- I'm sorry. I
12 can't provide you that data. Again, I was only retained
13 Monday. Maybe there is more. I can provide an updated
14 response to that, but I would have to --

15 MEMBER GRUBBS: Is there someone here who
16 might be able to answer that question?

17 FEMALE ATTORNEY: There's no data analyst.

18 MEMBER GRUBBS: Okay. So is there anyone --
19 this is -- I mean, that's pretty stunning considering
20 that we have so many issues with illegal people voting
21 in elections and we have this double-voting issue. I
22 was hoping you would say, yes, you do have a data
23 analyst and we're working really hard in conjunction
24 with the Secretary of State's Office to ensure that
25 Georgia's voter rolls are clean, but that doesn't appear

1 to be the answer.

2 Do you know if there is someone in the
3 Secretary of State's Office who is doing this analytical
4 information because if there was this issue in
5 transition from eNet to GARViS and there's a period of
6 time that there was incorrect information, if I was a
7 county administrator or superintendent or what have you,
8 if I had that data I would be knocking on the door of
9 the Secretary of State's Office and saying, hey, this is
10 what we found, this is what's incorrect, and how do we
11 go about cleaning this up? Do you have a contact at
12 Salesforce -- I mean GARViS who can help us with this
13 issue or this transition from eNet or -- I think there
14 might be a problem here. Is there anyone from Fulton
15 County who did that, go to the Secretary of State's
16 Office?

17 FEMALE ATTORNEY: We only recently learned
18 that this was an issue in the transition.

19 MEMBER GRUBBS: How did you learn that?

20 FEMALE ATTORNEY: Because we were named
21 potential double voters, and researching that, we cannot
22 find evidence of those double votes, and then just
23 investigating and reaching out to the Secretary of
24 State's Office. I can't speak for what the Secretary of
25 State is now doing, because I think they also recently

1 realized that this was an issue.

2 MEMBER GRUBBS: So, in other words, if Mr.
3 Fraser hadn't launched this complaint, then you still
4 wouldn't know?

5 FEMALE ATTORNEY: I can't -- it's possible. I
6 don't know. I think maybe they would have discovered it
7 at some point, I'm sure, just inspecting more than the
8 two counties.

9 MS. GLENN: I did reach out to the Secretary
10 of State, because I was looking at the voter history as
11 well, and saying, hey, you have credited, or there's a
12 credit, I can see where the person voted in person on
13 October 14th, but on November 3rd, 2020, you're showing
14 that the person voted absentee. On November 3rd, you
15 can't vote absentee, so it's got that credit there and
16 then it had the actual vote.

17 One of the voters came before you last month,
18 Ms. Stein (phonetic), and she kept saying, I didn't do
19 that.

20 So, going through, I asked the Secretary of
21 State, how is this so, that it appears that you have
22 double voting, and they explained to me that anything
23 public-facing, you have to go to MVP to show whether or
24 not that person actually voted twice. Everyone I have
25 provided you with, the MVP screenshot, showed one vote

1 for each person. There is not two.

2 We don't have a data analyst. We have 14
3 registration officers that are processing the work. We
4 do have our GIS team that helps us with trying to
5 identify duplicate voters; address issues; people in the
6 wrong, based on zip code, if they're in the wrong
7 precinct, but it's a lot. We are the largest county
8 with 850,000 voters that we are scrubbing the files
9 every single day. We are processing voters every single
10 minute of every day, sometimes seven days a week.

11 MEMBER GRUBBS: So, tell me your name again.

12 MS. GLENN: My name is Kathryn Glenn.

13 MEMBER GRUBBS: Ms. Glenn?

14 MS. GLENN: Yes.

15 MEMBER GRUBBS: Okay. First of all, let me
16 tell you that I believe that you're an honest,
17 forthright person, and I appreciate you coming to the
18 podium, because you get the feeling that -- you know,
19 you get the attorneys involved sometimes, and it's like,
20 let's just talk real stuff. Let's figure out where the
21 problem is. If it's not Fulton County's problem, and
22 you're not getting what you need from the Secretary of
23 State, let's rip the Band-Aid off and let's get real
24 about that.

25 MS. GLENN: They're great partners. They're

1 working with the same system that we all are. They do
2 have analysts there that are always trying to make --
3 everyone knows that GARViS started off with a lot of
4 problems. It's so much better today, and I would never
5 want to go back to eNet now that we have it, and it is
6 better. And we have great partners there. They're all
7 human, working through, trying to make it better, all of
8 us, all 159 counties.

9 MEMBER GRUBBS: Right. I think the reason
10 that it is so alarming in Fulton County, one of the
11 issues is that Fulton County is the largest voting
12 county in the state of Georgia.

13 MS. GLENN: Yes, ma'am.

14 MEMBER GRUBBS: And if you can't get it right
15 in Fulton County, it dilutes the votes of everybody else
16 in the state, and it's not fair to the other counties
17 when Fulton is not functioning at its highest and best
18 use. And we want to see Fulton succeed. We want to see
19 Fulton be awesome. We want to see those things happen.

20 However, when it takes a citizen who takes
21 interest to come through and do the investigation, it's
22 a little bit absurd in my view that Fulton is not
23 concentrating on these things or that you don't have
24 data analysts. I mean, when you see the amount of money
25 that is on the Fulton County budget --

1 MS. GLENN: Well, that's for elections.

2 MEMBER GRUBBS: I get it. I get it. But I've
3 also been down there and had a great deal down there in
4 elections too. You know, I mean, there's no sense it's
5 fair for Fulton when it comes to your budget and you're
6 spending money on stuff like that. But if you can't get
7 the voter rolls right, there is a big problem for the
8 rest of the citizens in the state of Georgia. That's
9 what I'm saying.

10 MS. GLENN: And I don't -- I don't disagree
11 with that statement.

12 MEMBER KING: I actually feel that you
13 provided it to clarity because, and just correct me if
14 I'm wrong, but prior to you coming up, it was being
15 presented as if this -- what Mr. Fraser was showing
16 didn't just -- that this never happened, it never
17 existed, I don't know what you're talking about.

18 But when you came up and said, yeah, we did
19 see where it looked as though this person was credited
20 several times.

21 That significant information helps and goes a
22 long way because we know that when we have him showing
23 us data saying that this is what happened and then your
24 attorney is saying that this never happened, we have no
25 choice but to look at this and say, wait, what's going

1 on? So -- and I'm almost finished.

2 So the point I'm making is that we know that
3 something doesn't sound right and we just want to know
4 what happened. If you said, look, I found it -- because
5 I agree with Member Grubbs. I think that you are a hard
6 worker. I think you've done your best. I think that --
7 you know, I don't want to pin you between your job, your
8 bosses, so to speak, for lack of a better way of putting
9 it, between the SOS and this particular situation. I
10 don't want to do that.

11 But what I will say is that it doesn't sound
12 like you're being supported. I know it feels -- it may
13 feel that way, but it doesn't look that way, because if
14 he's pulling SOS data and he's making you look bad and
15 making Fulton County look bad, that's a problem. It's
16 not just a problem. I don't like that that's happening
17 to you. So, yeah, I just want to make sure we got more
18 than, Mr. Fraser's information is not correct, in so
19 many words by telling us that this never happened
20 because clearly it did. Something happened.

21 MS. GLENN: If I could speak to that, I think
22 what the statement was, was that it was no double
23 voting, not that this situation didn't happen. I mean,
24 that's the way I heard it.

25 MEMBER KING: Well, that's because you have

1 all the information.

2 FEMALE ATTORNEY: Correct. So I want to
3 clarify. When I say it didn't happen, I'm talking about
4 double voting. Double voting did not happen.

5 MEMBER KING: Well, you can't say that.

6 MEMBER GRUBBS: You can't say that.

7 MEMBER KING: You can't say that because we
8 both have two people that are saying that, yes, that it
9 did show that this person was credited twice.

10 MR. FRASER: And that was before the
11 transition.

12 MEMBER KING: Correct. So you can't say it
13 didn't happen emphatically when two people are saying it
14 did and --

15 FEMALE ATTORNEY: I'm sure the current
16 records, or at least the public-facing records, appear
17 to show that it was double voting.

18 MEMBER KING: The current records that you
19 don't have and you just said you don't have access to
20 eNet anymore, so you don't --

21 FEMALE ATTORNEY: I'm talking about in GARViS,
22 in GARViS.

23 (Crosstalk.)

24 FEMALE ATTORNEY: If you look at the MyVoter
25 page, it does not show two votes.

1 MEMBER KING: But is it possible that it was
2 corrected after the fact?

3 FEMALE ATTORNEY: No.

4 MEMBER KING: So it shows -- at some point, it
5 shows that they were credited to them voting multiple
6 times, but it -- that's really not a --

7 FEMALE ATTORNEY: Also there are no records of
8 a second vote, so --

9 MEMBER KING: Well, you --

10 FEMALE ATTORNEY: -- you can't investigate --

11 MR. FRASER: I've got the voter history file
12 right in front of me from before the transition --

13 FEMALE ATTORNEY: When I say no records, I'm
14 talking about there's no second check-in at the polls.
15 Maybe they came in to vote in person. So there's a
16 record of that vote in person. But then it says they
17 voted a second time. There's not a record of the second
18 --

19 MEMBER KING: Mr. Fraser, can you see how they
20 voted each time?

21 MR. FRASER: Yeah. Three of the four show an
22 absentee vote --

23 FEMALE ATTORNEY: On election day.

24 MR. FRASER: -- and this is the -- the old
25 system doesn't say the day of the vote, at least for us

1 lowly citizens. It just says what method, and it says
2 YNN, which means absentee, not provisional, not
3 supplemental, and that's for three of them.

4 The fourth one shows NNN, which means they
5 voted in person Election Day. And again --

6 MS. GLENN: That's a good one. Those other
7 three...

8 (Crosstalk)

9 MEMBER KING: You would have. I asked that
10 because you were talking about poll matching and stuff.
11 Well, you wouldn't have that if they were absentee.

12 MS. GLENN: Well, there's absentee in person
13 and absentee by mail. So both of them are considered
14 absentee.

15 MEMBER KING: Got it. Right. The early
16 voting, in person, by mail.

17 So you're saying it was by mail or was it in
18 person --

19 MR. FRASER: So that fourth one, it shows --
20 well, the three absentees, I don't know if they voted
21 electronic, which is (indiscernible), or early, or by --
22 early in person, or by mail. I just know that's how the
23 system was showing it then.

24 MS. GLENN: And that's another error.

25 MR. FRASER: So the fourth -- so, again,

1 another error. Let me just say one thing real quick.
2 If we are just assuming that the voter history files are
3 riddled with errors, and the only thing we can trust is
4 MyVoter page, then you need to make MyVoter page
5 available to the public.

6 Right now you have to have a full date of
7 birth, figure that out, so that way you can see what is,
8 quote, unquote, real today, because, I mean, they keep
9 saying, we can't trust the data that is available to the
10 people, which means the people do not have the ability
11 to audit an election. That is, again, one more unlawful
12 item that is happening in this state. That has to get
13 fixed.

14 MEMBER KING: I'm tired of clerical errors.
15 These four --

16 FEMALE ATTORNEY: And I want to clarify. When
17 I'm talking about the records, I'm not talking about the
18 spreadsheet. I'm referring to the background documents
19 that the Election Department has.

20 MEMBER KING: The spreadsheet that came from
21 the Secretary of State's Office that you could have
22 obtained.

23 FEMALE ATTORNEY: It's not clear.

24 MEMBER KING: Because I don't want to dismiss
25 his words.

1 FEMALE ATTORNEY: No.

2 MEMBER KING: You just don't have it.

3 FEMALE ATTORNEY: I don't disagree he's
4 getting information that says there's double voting.
5 And I don't disagree that there's something going on
6 that is reflecting in databases that there's double
7 voting.

8 MEMBER KING: I just want to make sure --

9 FEMALE ATTORNEY: But when we research it,
10 when you come in to vote -- well, in 2020, you would
11 have been filling out that form. So if you were in
12 person, you fill out that form, we'd have a record of
13 that. If you also submitted an absentee ballot
14 application and submitted an absentee ballot, we would
15 have a record of that.

16 There's not a record of these double votes,
17 essentially as far as the actual, physical, like, either
18 checking in in person or submitting an absentee ballot.
19 There is the one method of what they use, whether it was
20 in person or not, not a set.

21 So what I'm saying when I'm saying there's no
22 records, the actual records of the voting aren't
23 matching the spread -- the database that we're getting,
24 the Secretary of State's database.

25 VICE CHAIR JOHNSTON: So are you saying that

1 the database has no correlation to actual voting?

2 FEMALE ATTORNEY: I'm saying there's some kind
3 of issue that has happened with people that had, at some
4 point, a duplicate registration, even when they were
5 merged. So when they're cleaned up and they're merged,
6 the second registration doesn't just go away or get
7 reassigned to someone else. So something has happened
8 in the database in that it is, even though those records
9 were merged, it's showing credit to both records, both
10 the current registration and the canceled duplicate
11 registration in the database.

12 MEMBER GRUBBS: So let me ask you one more
13 question. So essentially you're saying something
14 happened during the merge?

15 FEMALE ATTORNEY: That is my understanding
16 from discussions that people have had with the Secretary
17 of State's Office. What their -- whoever handles that,
18 I can't give you specific names. I can probably find
19 that out and send it to you.

20 MEMBER GRUBBS: But who conveyed that to you?

21 FEMALE ATTORNEY: Election staff at both
22 Walker County and then in Fulton County, which we put in
23 our letter. And Fulton County also spoke to them again,
24 and then also --

25 MEMBER GRUBBS: And then was?

1 FEMALE ATTORNEY: The Secretary of State.

2 MEMBER GRUBBS: So clearly everybody in Walker
3 and in Fulton, everybody knows there was an issue with
4 the conversion from eNet to GARViS?

5 FEMALE ATTORNEY: Yes, which we -- I don't
6 know that we would have realized that, except that
7 complaints were brought up.

8 MEMBER KING: Except the citizen.

9 FEMALE ATTORNEY: Correct. And I don't know
10 how the other one came about, that both of them were
11 Secretary of State investigations that were opened up.

12 MEMBER GRUBBS: So do -- and you probably
13 won't be able to answer this, but does this change the
14 mindset of boards of election in voter challenges,
15 because things have been -- there's been so much
16 pushback on voter challenges. When citizens review
17 voter rolls and they find issues like this, it's an
18 automatic pushback and saying that voter challenges
19 can't be done even if it's outside the 90 days and even
20 if all the rules are followed, I know that, and my
21 county is Cobb, they've pushed back. They've even
22 wanted to charge citizens for reviewing voter
23 challenges.

24 But here we have, you know, the fact that
25 Fulton wouldn't even know had he not done the challenge.

1 FEMALE ATTORNEY: I mean, I can't speak for
2 any of the board of elections. I do know a lot of
3 citizens do look at the roll. I think there are
4 duplicates that maybe a county hasn't caught. You know,
5 the department -- you can always send that to the
6 department. Some jurisdictions may regard it to be a
7 poll voter challenge. Some may just look at it and go
8 ahead and see if there's additional items that they've
9 missed that maybe need to be cleaned up. Maybe someone
10 was registered as Janice and someone was Jan. And they
11 can look at the date of birth or driver's license and
12 get that additional information.

13 MEMBER GRUBBS: But as it stands right now, we
14 don't, we can't really say for sure that Mr. Fraser is
15 incorrect in what he's presented?

16 MEMBER KING: It can't be sent to the SOS
17 office.

18 FEMALE ATTORNEY: I would recommend getting
19 additional information from the Secretary of State's
20 Office to explain what happened, but the county's
21 records are that one vote occurred. And I think, like
22 was pointed out, which is one person has voted absentee
23 three times on Election Day. We can't vote absentee on
24 Election Day.

25 MEMBER GRUBBS: So I think, with permission,

1 I'm ready to make a motion.

2 VICE CHAIR JOHNSTON: My concern is the review
3 of this case suggests that voter credit is really maybe
4 not equal to a real vote, and if -- and that questions
5 vote totals. If you're -- if you're unclear whether
6 vote credit counts, really counts for a vote, how can
7 you declare that there are certain vote totals in the
8 system? And the related election documents, such as the
9 number of listed voters, are not available? I mean, how
10 can you conduct a review or audit an election without
11 the number of listed voters?

12 There's going to be people who came in to vote
13 and there's nothing secret about who comes in to vote.
14 The only thing that should be secret is how you vote.
15 And to have this either not kept or not provided to
16 correlate with vote totals is -- I mean, it's just -- I
17 don't understand how anyone could look at an election
18 and say it's accurate with anyone.

19 And in review of this data, it shows that
20 there's duplicate registration, voters that cannot be
21 contacted, vote credit that cannot be substantiated by
22 election documents, absentee ballots sent out to
23 duplicate registrations and not returned, voter
24 registrations by the same person just 18 days apart,
25 vote history that's unreliable, related election

1 documents such as vote affidavits or absentee ballot
2 applications or oaths on envelopes. Who's seen an oath
3 envelope in years and years? I haven't? A number of
4 vote lists are not available.

5 So my conclusion generally is voter credit is
6 junk data and, you know, Mr. Fraser, I don't know how
7 you can put that in --

8 MR. FRASER: It's all a guess.

9 VICE CHAIR JOHNSTON: -- a correlation. But
10 it all has to do with the voter rolls too and the
11 accuracy and the currency of voter rolls. That's what's
12 so important. Otherwise, these double registrations
13 just become possible placeholders for somebody to insert
14 a false vote and to digitally or electronically, because
15 you're using all electronic equipment these days, to
16 create erroneous vote totals. So it just kind of makes
17 it -- it kind of affects one's confidence and trust in
18 the whole voting system.

19 MR. MILLS: Mr. Chairman, I have a question.

20 CHAIR FERVIER: Yes.

21 MR. MILLS: I realize this specific case is
22 talking about a double voter beginning in 2020, six
23 years ago and I don't -- I don't fault Fulton for that
24 in the least, in regards to why we're discussing this
25 six years later. That's the Secretary of State. I

1 don't know. Maybe that's a Mr. Chairman answer -- or
2 question. Why was this not put on the agenda early?

3 CHAIR FERVIER: Well, I have no answer for
4 that.

5 MR. MILLS: Well, you're making the agenda.

6 CHAIR FERVIER: Well, no, I wasn't.

7 MR. MILLS: I mean, you stated before that you
8 were. I'm just -- I'm just curious as to, you know,
9 we're talking about something that happened six years
10 ago. People died. Things changed. Facts changed. And
11 these things are not content. I understand, Mr.
12 Chairman, you weren't here then. We had a meeting. You
13 had something come up personally with you and Vice Chair
14 Johnston chaired.

15 But in that meeting, Fulton County had a
16 similar issue. Mr. Fraser came up, had a question about
17 voters that were being challenged. In that meeting,
18 Vice Chair Johnston asked Ms. Williams to please come
19 back next month with a report on your scrubbed roll,
20 because Ms. Williams, you told this board that you did a
21 monthly scrub on your voter roll. And I'm not
22 questioning that. I'm just repeating what was -- what
23 was shared.

24 It's three months later, and we're talking
25 about the same thing. We're talking about why this

1 doesn't match with Mr. Fraser's. And we asked in
2 December 9th and 10th, when Vice Chair Johnson was
3 chairing, she asked you to come back and give a report.
4 And I'm not going to let this go. It's not vindictive.
5 It's not mean. It's simply accountability.

6 Last week, a month ago, I asked a question
7 about Fulton County's election (indiscernible). And
8 then I asked it again.

9 How many people are on Fulton County's
10 election board?

11 FEMALE ATTORNEY: Currently, there are four,
12 with one vacant seat.

13 MR. MILLS: And that's been the same answer
14 for over a year. And I asked that question last month
15 with the other attorney from Fulton County that was here
16 and I said, I'm going to keep asking it. So you know
17 what? It's the next month, and I'm asking it again.
18 What does that board consist of? The four members, what
19 does it consist of?

20 FEMALE ATTORNEY: The chair, there are two
21 different appointees for the Democratic Party and one
22 for the Republican Party. There is a current vacancy
23 for the Republican Party. Those appointments are made
24 by the Board of Commissioners. I represent in the Board
25 of Elections. But I'm going to say there are four

1 people.

2 Now, Ms. Williams was not here at the January
3 meeting. They actually -- it was the Fulton County
4 Board of Commissioners, it was their budget session for
5 the election budget. So she was there, back at the
6 budget meeting.

7 MR. MILLS: I understand that. Mr. Fraser
8 brought up also, I think in a prior meeting, I don't
9 remember the number, but I remember the birthdays of the
10 year 1900 that you all had. How many people, Mr.
11 Fraser, did you find? This is not -- we don't know if
12 this is true or not. How many people did you find that
13 were listed on the Fulton County voter roll that were
14 born in 1900?

15 MR. FRASER: Yeah. So whenever I turned that
16 in, it came directly from the Secretary of State side.
17 All I did was sort the year of birth by -- I sort 1910
18 and before, typically, because if you were born in 1910,
19 you're not here. But that number was around 360.
20 Apparently, Fulton County's been a little bit busy,
21 because as of 2/2, that number is down to 235.

22 MR. MILLS: That's enormous. That's great.

23 MR. FRASER: They've gotten rid of a third of
24 them at that point, and maybe they've reduced a few
25 more. I'm not sure.

1 MS. GLENN: May I speak?

2 CHAIR FERVIER: Please.

3 MS. GLENN: Okay. So Secretary of State, they
4 have a new tool to assist us in finding these voters.
5 We did have 367 in one category with the birthday
6 1/1/1900. I cannot tell you why they ever thought that
7 was a good idea, but these are old registrations.
8 They're not -- the applications on those were rejected,
9 should have been rejected. Somehow in the date of
10 migration, they popped back up as inactive voters.

11 So I'm having to go in, and even though the
12 application was rejected, because they had a bad
13 birthday birth, I have to cancel them individually. And
14 yes, in my time that I have available, that's what I'm
15 doing. I am going through all of the list of things
16 that now this new tool provides us. But yes, there --
17 someone registered voters. I guess if it didn't have a
18 date of birth, it was 1/1/1900.

19 MEMBER GRUBBS: Ms. Glenn, I really like you.
20 I think you're honest, and I think you are just --

21 MS. GLENN: I'm doing the work.

22 MEMBER GRUBBS: You're doing a lot with --

23 MS. GLENN: I'm trying.

24 MEMBER GRUBBS: -- a little, I think. And so
25 I appreciate you from the bottom of my heart. I just

1 want to say that.

2 MS. GLENN: Good.

3 MEMBER GRUBBS: But I will say, and I wish
4 that everyone else would be so forthright because we as
5 a board are not here to, you know, go after Fulton
6 County for some kind of vigilance. That's not the case
7 at all. We just want fair, optimal elections. And when
8 we can't get, like Dr. Johnston said, we cannot get the
9 numbered voter lists and things like that, and when
10 you're having issues working with the Secretary of
11 State, you know, getting this information, or you're
12 lacking in resources, let's just get real about it.

13 Let's address those issues so that we have
14 free and fair elections in Georgia, because right now we
15 do not. And that's what we need. So thank you for
16 coming to the podium and speaking. I appreciate it.

17 CHAIR FERVIER: The chair will entertain a
18 motion at this time.

19 MEMBER KING: It's really late.

20 CHAIR FERVIER: Yes, I understand.

21 (Crosstalk.)

22 MEMBER KING: I believe that what we're not
23 talking about and the elephant in the room, so to speak,
24 is that it appears that you're suffering from poor
25 leadership from the top. That's what's happening here

1 because we have people coming up saying, I'm trying my
2 best. I'm doing the work. I'm trying my best. I'm
3 trying my best.

4 And I believe that. I really do. And
5 unfortunately, it -- it looks as though, and it's been
6 super politicized, but it looks as though it's the SEB
7 against Fulton County. And the reason why it looks like
8 that is because we constantly see all of these errors,
9 clerical errors, and errors that are coming up and then
10 the explanation somehow connects back to the Secretary
11 of State's Office, who never shows up, who won't come to
12 our meeting, who doesn't even have your back when it
13 comes to this.

14 And I have held my tongue for a long time on
15 saying that but I'm tired of having to hear from people
16 who are, like, I'm doing my best, I'm doing my best,
17 when the key person that's supposed to ensure that they
18 have all they need to actually do their best is not only
19 not providing that, but also not showing up.

20 And I want you to make your motion, because I
21 have another motion behind that, and so I'm just really
22 tired of not having answers, because the people who hold
23 the answer is too busy running around outside doing
24 whatever they're doing and not doing their job.

25 MEMBER GRUBBS: Yes, ma'am. Mr. Chairman, I

1 would like to make a motion.

2 CHAIR FERVIER: Yes.

3 MEMBER GRUBBS: I would like to make a motion
4 that this case can continue to next month and I would
5 like to make a motion that we subpoena the Secretary of
6 State, Brad Raffensperger, to come to that meeting and
7 to bring with him whoever he would like to explain how
8 these situations happened and to explain why Ms. Glenn
9 and her team that she works so diligently with in Fulton
10 County, why they are not able to do what needs to be
11 done.

12 And I would like for the Secretary of State,
13 Brad Raffensperger, to be subpoenaed to come before us
14 and explain to Mr. Fraser why this migration issue
15 happened with eNet and GARViS and why it's still not
16 fixed and what other counties are affected in the state
17 of Georgia.

18 MEMBER KING: So that would be helpful
19 (indiscernible) repeatedly.

20 CHAIR FERVIER: That -- that would need to be
21 two different motions, I think.

22 MEMBER GRUBBS: Okay, my first motion is this
23 case be continued to next month.

24 CHAIR FERVIER: We have a motion to continue
25 this case.

1 MEMBER KING: Seconded.

2 CHAIR FERVIER: SEB2022-068. And we have a
3 second. Any discussion?

4 MEMBER GRUBBS: Sorry.

5 CHAIR FERVIER: Any discussion?

6 Hearing no discussion, all those in favor of
7 continuing this case to the March agenda, say aye.

8 (Ayes were heard.)

9 CHAIR FERVIER: Any opposition? Hearing no
10 opposition, so moved. Okay, hang on a second.

11 VICE CHAIR JOHNSTON: Can I get some
12 clarification? Do you want Fulton County to be here
13 again --

14 (Crosstalk.)

15 CHAIR FERVIER: We had a vote.

16 MEMBER KING: (Indiscernible) be respond or
17 whatever.

18 CHAIR FERVIER: Yeah, I'll respond. We voted
19 to continue the case.

20 MS. GLENN: I have to come back?

21 CHAIR FERVIER: Yeah, you'll have to come back
22 on this one.

23 BOARD MEMBER: We didn't take a vote.

24 BOARD MEMBER: We didn't take a vote.

25 BOARD MEMBER: There was a motion to --

1 CHAIR FERVIER: Oh, I'm sorry. We have a
2 motion to continue the case. All those in favor of
3 continuing signify by saying aye.

4 (Ayes were heard.)

5 CHAIR FERVIER: I thought we did.

6 MEMBER KING: We did vote. We did.

7 MEMBER GRUBBS: We double-voted. We did. It
8 seems to be a thing. I'm sorry.

9 CHAIR FERVIER: Now, the chair will entertain
10 another motion.

11 MEMBER GRUBBS: Mr. Chairman, I would like to
12 make a motion that we issue a subpoena to the Secretary
13 of State, Brad Raffensperger, to come before this board
14 and explain these issues as we have discussed with
15 regard to Fulton County and other counties across the
16 state.

17 CHAIR FERVIER: Do we have a motion to second
18 it?

19 MEMBER KING: Seconded.

20 CHAIR FERVIER: We have a motion to second.
21 Any discussion?

22 Hearing no discussion, all in favor, signify
23 by saying aye.

24 (Ayes were heard.)

25 CHAIR FERVIER: Any opposition? Hearing no

1 opposition, so moved.

2 Next item on the agenda -- well, I'll take
3 that back.

4 We have two individuals here that Dr.
5 Johnston has identified, Hyacinth Clarke, who's not
6 here. Apparently, we need to rule on that one. There
7 are two ID numbers, indicates the ballots are spoiled.
8 There is a middle name that's spelled out on one line
9 and not the other. All the information matches.

10 MR. FRASER: The first name has a title also,
11 Mr. Chair.

12 CHAIR FERVIER: Okay.

13 MR. FRASER: Hyacinth is spelled two different
14 ways on that.

15 CHAIR FERVIER: All right. And no record of
16 the ballot being returned. Requested a ballot. Chair
17 will entertain a motion on that individual.

18 VICE CHAIR JOHNSTON: Mr. Chair, there is a
19 lack of documents to actually decide if there is
20 sufficient evidence. And unfortunately, the election
21 documents -- the election documents in the 2020 election
22 are (indiscernible), so I don't -- move forward with a
23 decision on Hyacinth Clarke.

24 CHAIR FERVIER: Do you...

25 MEMBER KING: So you can ask the Secretary of

1 State.

2 VICE CHAIR JOHNSTON: You can continue that.

3 CHAIR FERVIER: Well, we'll continue the
4 entire case. How about that? We'll just continue.
5 We'll continue the entire case.

6 All right. Let's move on to the next one.
7 Next one is SEB2023-022, Fulton County Poll Worker
8 Conduct Issue, November 2020.

9 MR. MILLS: This has several complaints. The
10 Secretary of State's office initiated an investigation
11 on November 11, 2020, based on the complaint received
12 from Fulton County election poll worker, Mr. Michael
13 Humpler (phonetic). The complaint reported that the
14 following -- the closing of the polling precinct he was
15 assigned to vote while at his church.

16 The polling manager, Ms. Jones, left several
17 ballots inside of a scanner at the polling location,
18 drove to a residence with election material inside of
19 her vehicle first, then went to Roswell City Hall to
20 drop off the election material to Fulton County
21 officials. And this is a violation of the code, code
22 Section 21-2-440, that require, a possible violation,
23 that requires poll manager and an assistant poll manager
24 to immediately deliver ballots and associated election
25 records to the custody of the superintendent of the

1 state election board, Rule 183-1-12.12.

2 In Complaint Number 2, initially Mr. Humpler
3 alleged that at the same voting precinct, there was a
4 discrepancy between the number of ballots generated and
5 the number of ballots scanned, a possible violation of
6 OCGA 21-2-484.

7 Complaint Number 3, including the above
8 complaints, the third complaint alleging for the
9 November 20 general election, Fulton County elections
10 had a batch of ballots that were scanned twice. This is
11 a possible violation of board Rule 183-1-12.12(b).

12 CHAIR FERVIER: Can you name the respondents?
13 I'm having technical issues.

14 MR. MILLS: The respondents are Carrie Jones
15 (phonetic), one Grace J. Moss (phonetic), and Richard
16 Baird (phonetic).

17 VICE CHAIR JOHNSTON: So allegation number
18 three was -- there was a need to continue that because
19 the attorney for Ms. Moss was not notified.

20 CHAIR FERVIER: We're dead in the water here.

21 VICE CHAIR JOHNSTON: As far as Complaint
22 Number 1, Ms. Jones, I think her personal issue that
23 required her to go to her house and change her clothing
24 but, you know, unfortunately, she also was the person in
25 custody of some election documents. The report is

1 nobody breached the vehicle or removed the documents.

2 So she did provide a statement. She details
3 it a little bit more in her statement, that two other
4 poll workers stayed outside. It was five minutes. Poll
5 workers now currently are trained to not make any stops
6 in between. I think it was a personal urgency to be
7 delicate about it. So I think as long as she certainly
8 had the equipment carefully watched throughout the time
9 and maintained a change of custody.

10 FEMALE ATTORNEY: Yeah, so there were two poll
11 workers staying outside of the houses while she changed.

12 VICE CHAIR JOHNSTON: And the second
13 complaint, there was a discrepancy in the number of
14 ballots generated and the number of ballots scanned.

15 FEMALE ATTORNEY: And my understanding is that
16 the discrepancy was actually on the paperwork. It was
17 not filled out correctly. And in Ms. Jones' statement,
18 she mentioned she found the paperwork to be confusing.
19 The county has improved its training on that to go
20 through the paperwork for election night so that the
21 poll managers can understand it better. So there has
22 been enhanced training in that. And we do admit that
23 she had filled out that paperwork incorrectly at that
24 time.

25 VICE CHAIR JOHNSTON: Were the counts correct?

1 FEMALE ATTORNEY: My understanding of the
2 counts were correct, that there was a paperwork issue,
3 yes. And of course, I can't pull that record anymore.

4 CHAIR FERVIER: Any questions from the board?

5 VICE CHAIR JOHNSTON: I have no questions. I
6 have a motion.

7 CHAIR FERVIER: The chair will entertain a
8 motion.

9 VICE CHAIR JOHNSTON: Mr. Chair, I move that
10 we dismiss Complaint Number 1 and 2 for Respondent
11 Carrie Jones.

12 CHAIR FERVIER: We have a motion to dismiss
13 Complaint 1 and 2. Do we have a second?

14 MEMBER KING: Seconded.

15 CHAIR FERVIER: We have a motion and a second.
16 Any discussion?

17 Hearing no discussion, all those in favor
18 signify by saying aye.

19 (Ayes were heard.)

20 CHAIR FERVIER: Any opposition?

21 Hearing no opposition, so moved, three to
22 zero. Complaint Number 3?

23 VICE CHAIR JOHNSTON: Continue.

24 CHAIR FERVIER: Continued?

25 VICE CHAIR JOHNSTON: Yes.

1 CHAIR FERVIER: Are you making a motion to
2 continue?

3 MEMBER KING: Yes.

4 VICE CHAIR JOHNSTON: There was a request for
5 a continuance.

6 CHAIR FERVIER: Okay.

7 VICE CHAIR JOHNSTON: Actually, the attorney
8 (indiscernible) in the summary that said, contact the
9 attorney.

10 CHAIR FERVIER: Moving along, SEB2023- 028,
11 Fulton County, Sequestration Issue.

12 MR. MILLS: The Secretary of State's Office
13 opened an investigation after it was reported that a
14 Fulton County election worker used their cell phone
15 while in the sequestered area of the Fulton County
16 Tabulation Center during the processing and tabulation
17 of absentee ballots during the November 2022 general
18 election, a potential violation of OCGA 21-2-386
19 (indiscernible) ballots and State Election Board, SEB
20 Rule 183-1-14-24.

21 CHAIR FERVIER: Respondent is Charlene Means
22 (phonetic). Are you here for Ms. Means?

23 Ms. Means?

24 This seems like a very simple issue. She's
25 agreed to be guilty of it and did not know any better

1 and, you know, discontinued use of it.

2 Any comments from the board?

3 VICE CHAIR JOHNSTON: Did she discontinue use?

4 CHAIR FERVIER: Yeah, it was her cell phone.

5 She was told that she wasn't allowed to use it, right?

6 Ms. Boddison (phonetic) said that she advised Ms. Means
7 of the policy regarding cell phone usage during early
8 processing and said Ms. Means apologized and put her
9 phone away.

10 Any further questions from the board? Chair
11 will entertain a motion.

12 MEMBER KING: I make a motion to issue a
13 letter of instruction.

14 CHAIR FERVIER: We have a motion to issue a
15 letter of instruction. Is there a second?

16 MEMBER GRUBBS: Seconded.

17 CHAIR FERVIER: We have a motion and a second
18 to issue a letter of instruction on SEB2023-028. All
19 those in favor signify by saying aye.

20 (Ayes were heard.)

21 CHAIR FERVIER: Any opposition? Hearing no
22 opposition, so moved.

23 Next item on the agenda is SEB2023-062 Fulton
24 County, City of South Fulton Illegal Campaigning.

25 MR. MILLS: The Georgia Secretary of State's

1 Office opened this investigation based on the complaint
2 received from the complainant, Sam McGee. McGee alleged
3 that the respondent, Catherine Rowell, counsel of
4 District 1 for the City of South Fulton was illegally
5 campaigning during the advanced voting for the November
6 7, 2023, general election at the Southwest Arts Center
7 polling location because there were information
8 postcards out in a visible view with the respondent's
9 picture on them, which is a potential violation of OCGA
10 21-2-414, Subsection A, Parenthesis 2.

11 THE COURT: Well, the respondent is Catherine
12 Rowell. Is Catherine here? Fulton County?

13 (Indiscernible) is the respondent and Uri
14 Lindsey from the City of South Fulton.

15 Uri Lindsey?

16 Fulton, no one's here. Do you have a response
17 to this?

18 FEMALE ATTORNEY: Yes. This wasn't
19 traditional campaign material. This was a sitting city
20 councilmember who was running for reelection. It was
21 brought to the point of her attention that, near the
22 restroom, there was a pamphlet, a 2021 Year in Review,
23 kind of, you know, sitting (indiscernible) what they all
24 did the past year. As soon as he was notified, he
25 removed them. They actually put them in a separate

1 room.

2 That same day, I did get a complaint that they
3 called into the -- whatever that phone number is that
4 you can call and complain to. The investigator actually
5 came out that same day. They'd already been removed at
6 that point. So as soon as he was notified, he put those
7 in a separate room and again, it was one of those 2021
8 reviews. It wasn't overtly a vote for me campaign.

9 CHAIR FERVIER: It wasn't campaign. It was
10 just literature that the councilperson sent out
11 regularly with their face on it.

12 FEMALE ATTORNEY: Right. And it didn't have
13 his face on it. So anybody that's across from it put it
14 away.

15 CHAIR FERVIER: Any questions from the board?
16 Chair will entertain a motion.

17 MEMBER KING: I make a motion it be dismissed.

18 THE COURT: We have a motion to dismiss. Is
19 there a second?

20 MEMBER GRUBBS: Second.

21 THE COURT: We have a motion and a second from
22 Member Grubbs.

23 All those in favor signify by saying aye.

24 (Ayes were heard.)

25 CHAIR FERVIER: Any opposition?

1 Hearing no opposition, so moved. Case will be
2 dismissed.

3 Next item on the agenda is SEB2024-053, Fulton
4 County Candidacy Affidavit.

5 MR. MILLS: The Secretary of State's Office
6 received a complaint regarding the misrepresentation of
7 the candidate's resident address on the Democratic
8 Declaration of Candidacy and Affidavit form. The form
9 was submitted in the name of Michel Powell for her
10 candidacy for Senate District 36. It's alleged that Ms.
11 Powell swore and affirmed that by the time of March 7th,
12 2024, she would have been a resident at 41 Marietta
13 Street, Northwest, Atlanta for ten consecutive years.
14 However, that address belongs to a commercial building,
15 which includes the United States Post Office branch.

16 CHAIR FERVIER: So Michel Powell, is Michel
17 Powell here? She's the respondent. My understanding of
18 this case is on her application, she had the post office
19 listed as her residence, and her residence listed as
20 where she receives her mail, is what she did. And she
21 lived in one and was applying for a job in the other.

22 UNIDENTIFIED FEMALE SPEAKER:

23 (Indiscernible.)

24 CHAIR FERVIER: (Indiscernible), I'm sorry,
25 applying for a job (indiscernible), what's the

1 difference? Yeah, so that's pretty much the case.

2 Any questions from the board? The chair will
3 entertain a motion on this one.

4 MEMBER GRUBBS: Mr. Chair, I'd like to make a
5 motion that this be referred to the Attorney General's
6 Office.

7 CHAIR FERVIER: Yeah. I wish Ms. Powell had
8 been here to respond to this one, because it -- there is
9 a lot of questions to be asked on it.

10 So we have a motion to refer this to the AG.
11 Is there a second?

12 VICE CHAIR JOHNSTON: Seconded.

13 CHAIR FERVIER: We have a motion and a second
14 from Dr. Johnson, I think, to refer it to the AG. Any
15 discussion?

16 Hearing no discussion, all those in favor,
17 signify by saying aye.

18 (Ayes were heard.)

19 CHAIR FERVIER: Any opposition? Hearing no
20 opposition, so moved.

21 Next item on the agenda is SEB2024-060, Voter
22 Registration Fraud.

23 MR. MILLS: Secretary of State's Office opened
24 an investigation and it was reported that a Fulton
25 County resident received a voter registration card in

1 the name of a person with whom they were unfamiliar and
2 had never lived at their residence. Potential violation
3 of OCGA 21-2-561, false registration.

4 CHAIR FERVIER: The respondent in this case is
5 Sean Wilson. We have been trying to locate Sean Wilson
6 on the law enforcement database, and nobody knows who
7 this Sean Wilson is.

8 Is Sean Wilson here by any chance? No? I've
9 got to ask. Sean Wilson, I don't know. The chair --
10 any questions on this case?

11 VICE CHAIR JOHNSTON: I have no question
12 except that this is, yeah, this is not under
13 (indiscernible) on voter law. There's no -- I mean, we
14 can find no evidence that this person exists, fictitious
15 registrant.

16 CHAIR FERVIER: The chair will entertain a
17 motion on this.

18 VICE CHAIR JOHNSTON: Well, there's...

19 CHAIR FERVIER: Dismiss it?

20 VICE CHAIR JOHNSTON: With that, Mr. Chair, I
21 make a motion to dismiss.

22 CHAIR FERVIER: We have a motion to dismiss.
23 Is there a second?

24 MEMBER KING: Second.

25 CHAIR FERVIER: We have a motion and a second.

1 All those in favor, signify by saying aye.

2 (Ayes were heard.)

3 CHAIR FERVIER: Any opposition?

4 Hearing no opposition, so moved. Fulton
5 County, in this case, 2024-180 is being continued.

6 VICE CHAIR JOHNSTON: Fulton County? Which
7 one?

8 CHAIR FERVIER: The 2024-180. I don't think
9 it's continued based on Fulton County looking for
10 response from the individuals who are holding the party,
11 I think, out there.

12 Fulton County, thank you for your attendance
13 today.

14 VICE CHAIR JOHNSTON: As requested,
15 investigators (indiscernible).

16 CHAIR FERVIER: Yes, yes. Our investigators
17 are still trying to locate the individuals that had the
18 party that I was not invited to, but thank you for
19 attending, Fulton County. We appreciate your attendance
20 today and helping us understand these cases. Safe
21 travels back home, unless you just want to stay for the
22 fun of it.

23 Next item on the agenda is SEB2023-046 Cobb
24 County.

25 MR. MILLS: On September 8, 2023, Cobb County

1 Board of Elections self-reported to the Georgia
2 Secretary of State's Office two different incidents
3 involving absentee ballots that were not properly
4 processed or counted. Both instances are a potential
5 violation of OCGA 21-2-493, computation, canvassing, and
6 tabulation of returns.

7 One instance involved five drop box absentee
8 ballots from the May 2022 general election and primary,
9 which had not been processed or counted. A potential
10 additional violation of OCGA 21-2-382 to drop boxes.

11 The second incident involved 13 provisional
12 absentee ballots from the November 2022 general
13 election, which had been satisfactorily cured and
14 returned to the elections office, but were not properly
15 processed or counted once received, a potential
16 additional violation of OCGA 21-2-381.

17 CHAIR FERVIER: The respondent is Cobb County.
18 Is Mr. White on the line? Mr. White, would
19 you like to respond to this case?

20 MR. WHITE: Yes. First, let me apologize for
21 being sort of informally attired. I stepped away from
22 my family to join the Zoom. (Indiscernible) but I'm
23 ready to answer any questions today.

24 This was a self-report by Cobb County on both
25 of these. So you've got all the information because the

1 information came from Cobb and, you know, these were
2 things where we reviewed them internally with our
3 election staff and the board. Our board is fully
4 apprised on it. In fact, the board is the one that, you
5 know, made sure at the time to (indiscernible) make sure
6 to self-report these -- we self-reported these
7 violations.

8 And so these are -- the information in the
9 report comes straight from us because we reported them
10 and we put in policies and procedures -- like, we put in
11 our procedures about chain of custody and checking these
12 envelopes from the drop box. Same thing with the cure
13 process, with -- we'll bring in ballots.

14 You'll notice that both of these sort of
15 occurred around the time they moved us to a new office.
16 Any time, you know, you move and you're setting up a new
17 process for intake and -- in the old office, we knew
18 where we took in the, you know, cured things and we put
19 them in -- I think there was sort of that going on with
20 this, just to add a little context to it.

21 But the information in the report is accurate
22 because that's what we reported and we (indiscernible),
23 so we wanted to make sure that SEB was aware. And if
24 you have any questions, I'm happy to answer them at this
25 time.

1 CHAIR FERVIER: So there are five ballots in
2 the drop box and 13 provisional absentee ballots,
3 correct?

4 MR. WHITE: Yeah. Well, the five ballots in
5 the drop box where from the primary in May of 2022 and
6 those -- just one of the envelopes that had the ballots
7 from the drop boxes, they didn't -- the ballots weren't
8 removed properly from that, they weren't documented
9 correctly at the time. And then, you know, there was
10 sort of a second error in there where there should have
11 been a -- and we (indiscernible).

12 Once you discover those, then you put them
13 with the other items in the clerk's office, and they
14 weren't done at that time. So when the box -- the box
15 ended up making the move, you know, to the new location
16 and they were discovered at that point, and so that's
17 when the -- the drop box issue, that was May of 2022.
18 The discovery was July and then, again, the box was
19 found again in 2023 where those ballots were
20 (indiscernible), so they kind of should have been placed
21 with the other items from that election and documented.

22 And then the same thing with the 13 absentee
23 ballots, that's from the general election. And those
24 were ballots that were cured. And so the materials to
25 cure those provisional ballots were received but they

1 weren't -- they weren't properly paired with the ballots
2 until after certification has occurred, of course, they
3 could not be included in the election.

4 CHAIR FERVIER: So those 13 voters didn't get
5 to vote in it?

6 MR. WHITE: Unfortunately, no. We've
7 instructed staff and put in new processes to make sure
8 that that doesn't happen again.

9 CHAIR FERVIER: Okay. The potential
10 violations are many. OCGA 21-2-382, 21-2-73, 21-2-493,
11 SEB Rule 183-1-12-.12(d)(4), 21-2-381, 21-2-382, 21-2-73
12 are all the potential violations here.

13 Any questions from the board on this?

14 MEMBER GRUBBS: I have a question for Mr.
15 Warren (sic).

16 CHAIR FERVIER: Yes.

17 MEMBER GRUBBS: Mr. Warren, in our last
18 meeting, I know that there was a report to the AG's
19 office. Have you heard from the AG's office yet?

20 MR. WHITE: On this case?

21 MEMBER GRUBBS: No, on the prior case.

22 MR. WHITE: Not that I'm aware of, unless our
23 director (indiscernible).

24 MEMBER GRUBBS: Okay. I was just curious.
25 Yeah, I know that the composition of things has changed

1 a lot since this time.

2 CHAIR FERVIER: Any other questions from the
3 board?

4 VICE CHAIR JOHNSTON: Mr. Chair, I would
5 request to consider amending the violations to better
6 reflect the circumstances of this case, not so numerous
7 as you just delineated, but 21-2-493, 21-2-381, and SEB
8 Rule 183-1-12-.12(d)(4), which you did mention for the
9 first allegation. And for the second, simply 21-2-
10 419(c)(1), which addresses provisional absentee ballots.

11 CHAIR FERVIER: And do what with the rest of
12 them?

13 VICE CHAIR JOHNSTON: I would recommend
14 (indiscernible).

15 CHAIR FERVIER: Okay. Would you like to make
16 a motion?

17 VICE CHAIR JOHNSTON: Mr. Chair, I make a
18 motion to issue -- or recommend that there is sufficient
19 evidence that a violation has occurred involving the
20 rules I just mentioned, 21-2-493, 21-2- 381,
21 183-1-12-.12(d)(4) for the first allegation, and for the
22 second, 21-2-419(c)(4).

23 CHAIR FERVIER: Which is for the 13
24 provisional ballots. Is it?

25 VICE CHAIR JOHNSTON: Provisional absentee

1 ballots, to be exact.

2 CHAIR FERVIER: So (indiscernible) potential
3 violations. Keep going. Keep going.

4 Okay. So these -- this one, those three for
5 the first five ballots, and then would you state the
6 ones for the 13 ballots again?

7 VICE CHAIR JOHNSTON: Yes. It's 21-2-
8 419(c)(1). Provisional absentee ballots.

9 CHAIR FERVIER: 21-2-419(c)(1) for the 13
10 ballots, you're referencing.

11 We have a motion. Is there a second?

12 MEMBER KING: Second.

13 CHAIR FERVIER: We have a motion and a second?
14 Any discussion?

15 Hearing no discussion, all those in favor,
16 signify by saying aye.

17 (Ayes were heard.)

18 CHAIR FERVIER: Any opposition?

19 Hearing no opposition, would the reprimand be
20 disclosed? Thank you.

21 MEMBER KING: Mr. Chair?

22 CHAIR FERVIER: Yes?

23 MEMBER KING: Not asking for a full comfort
24 break, but I need get to go to the restroom before the
25 next one, so I'm going to run really quick.

1 CHAIR FERVIER: Okay. Can we proceed without
2 you?

3 MEMBER KING: Yeah, that's fine.

4 CHAIR FERVIER: Okay. SEB2024-079, Cobb
5 County, Illegal Campaigning, Smyrna. The Secretary of
6 State opened this investigation based on a complaint
7 received from complainant, Lee Langovit (phonetic), Cobb
8 County Advanced Voting Poll Manager, regarding a
9 campaign flyer from Flynn Brody (phonetic) being left on
10 her vehicle on May 16, 2024, which was during the
11 advanced voting for the May 21, 2024, general
12 nonpartisan election.

13 The complainant's vehicle was parked within
14 150 feet of campaigning restrictions for the Smyrna
15 community polling location, potential violation of OCGA
16 21-2-214(a)(1). Restrictions on campaign activities
17 include (indiscernible) public opinion polling within
18 the vicinity of the polling place. The complainant is
19 Lee Langovit, and the respondent is Danielle Pilgrim
20 (phonetic), a campaign volunteer of District Attorney of
21 Flynn Brody Reelection Campaign.

22 Is Danielle Pilgrim here?

23 Are there any questions from the board on this
24 case?

25 MEMBER GRUBBS: I have no questions.

1 CHAIR FERVIER: It appears that it did occur.
2 This respondent did not know that she wasn't allowed to
3 do that, apparently.

4 BOARD MEMBER: (Indiscernible) campaign.

5 CHAIR FERVIER: Yes. The chair will entertain
6 a motion on this.

7 MEMBER GRUBBS: Mr. Chairman, I'll make a
8 motion that we do a letter of reprimand.

9 CHAIR FERVIER: We have a motion to do a
10 letter of reprimand. Is there a second?

11 VICE CHAIR JOHNSTON: Second.

12 CHAIR FERVIER: We have a motion and a second
13 to issue a letter of reprimand. Any discussion?

14 Hearing no discussion, all in favor of issuing
15 a letter of reprimand, signify by saying aye.

16 (Ayes were heard.)

17 CHAIR FERVIER: The chair will vote aye also,
18 so there's a quorum. Thank you.

19 Next item on the agenda is SEB2024-085, Cobb
20 County, Illegal Campaigning, East Cobb.

21 MR. MILLS: The Secretary of State's Office
22 initiated this investigation based on a two-part
23 complaint that occurred during the early voting period
24 from May 21st, 2024, general and primary. The
25 complainant reported that Jan Becker Horstmeyer

1 (phonetic), Becker, candidate for Cobb County Tax
2 Commissioner, illegally campaigned, a potential
3 violation of SEB 21-2-414, and poll watcher Virginia
4 Choate (phonetic) attempted to take photographs of
5 election signs posted inside the enclosed area of her
6 assigned voting precinct.

7 CHAIR FERVIER: Is Jan Becker Horstmeyer
8 available by any chance?

9 Virginia Choate? Is Virginia Choate here?
10 No?

11 MEMBER GRUBBS: She's not here. I know Ms.
12 Choate.

13 CHAIR FERVIER: Okay. Any questions from the
14 board on either one of these individuals? The findings
15 were that Ms. Becker Horstmeyer did drive her vehicle
16 within a 150-foot radius that was sustained with a sign
17 on her car. Let's deal with her first.

18 The chair will entertain a motion on Ms.
19 Horstmeyer Becker (sic).

20 VICE CHAIR JOHNSTON: Mr. Chair, I motion to
21 issue a letter of reprimand.

22 CHAIR FERVIER: We have a --

23 MEMBER GRUBBS: Second.

24 CHAIR FERVIER: We have a motion and a second
25 to issue a letter of reprimand. Is there any

1 discussion?

2 Hearing no discussion, all those in favor,
3 signify by saying aye.

4 (Ayes were heard.)

5 CHAIR FERVIER: Any opposition? Hearing no
6 opposition, so moved.

7 Point 2 is that Ms. Choate attempted to
8 photograph a sign that was located inside the enclosed
9 area of the voting area that was sustained, also. Any
10 discussion on that?

11 VICE CHAIR JOHNSTON: Is Cobb County present
12 to talk --

13 CHAIR FERVIER: Mr. White, do you have any
14 comments about Complaint Number 2, which deals with Ms.
15 Choate?

16 VICE CHAIR JOHNSTON: Virginia Choate was the
17 poll manager?

18 MR. WHITE: Honestly, I think those are ones
19 that we reported and I don't -- I don't have any
20 additional information on them. We weren't given backup
21 on that but I did but I did find where we reported the,
22 you know, the chief -- are we talking about the ones
23 where the signs were placed in the improper place?

24 VICE CHAIR JOHNSTON: Taking photographs of
25 the election posters.

1 MR. WHITE: I don't -- the only information I
2 was able to get, I guess, was on the first issue. I
3 didn't receive -- we didn't receive notice on either of
4 these two campaign violations. I did have staff go over
5 what they could find, and they found the first issue,
6 the -- but I didn't see anything on the issue with Ms.
7 Choate.

8 MEMBER GRUBBS: I would say that Ms. Choate
9 was here at our last meeting and I'm sure if she'd known
10 that this was on, she would be here today, so. I don't
11 have knowledge of that incident that happened, but I
12 would say that if she was aware that she was on the
13 agenda, she would have been here. So I would --

14 CHAIR FERVIER: Let me ask, was Ms. Choate
15 sent notice?

16 UNIDENTIFIED MALE SPEAKER: She was sent
17 notice. I remember sending out -- that name.

18 CHAIR FERVIER: You did?
19 (Crosstalk.)

20 CHAIR FERVIER: I'm sorry?

21 UNIDENTIFIED FEMALE SPEAKER: Some of the
22 addresses on the investigative report weren't correct.

23 CHAIR FERVIER: Okay.

24 UNIDENTIFIED FEMALE SPEAKER: And that's what
25 we have and we have to go by.

1 VICE CHAIR JOHNSTON: In the report, Ms.
2 Choate reported that she was stopped prior to taking the
3 photograph in the enclosed area. I think she had taken
4 a photograph of some posters on the outside. And then
5 she must have been pointing the camera inside the
6 polling place, is what -- how this reads and she was
7 stopped prior to taking the photograph of the enclosed
8 area and offered her camera to staff for verification
9 that no photographs were taken.

10 MEMBER GRUBBS: (Indiscernible.)

11 CHAIR FERVIER: Member Grubbs, would you
12 recuse yourself in this case, since you know her?

13 MEMBER GRUBBS: I would be happy to recuse
14 myself.

15 CHAIR FERVIER: The chair will entertain a
16 motion on this.

17 VICE CHAIR JOHNSTON: Mr. Chair, I would like
18 to make a motion that we dismiss.

19 CHAIR FERVIER: We have a motion to dismiss.
20 Is there a second?

21 MEMBER KING: Second.

22 CHAIR FERVIER: We have a motion to dismiss.
23 All those in favor of dismissal, signify by saying aye.

24 (Ayes were heard.)

25 CHAIR FERVIER: The chair has the right to

1 vote and votes aye. This case is dismissed.

2 UNIDENTIFIED FEMALE SPEAKER: Allegation 2?

3 CHAIR FERVIER: Pardon me? I voted, yes,
4 Allegation 2. It's dismissed.

5 The next item on the agenda is SEB2024-176,
6 Cobb County Non-Citizen Voting.

7 MR. MILLS: The Secretary of State's Office
8 Election Division conducted an audit of the Georgia
9 Voter Registration System, cross-referencing
10 notification was received regarding non-United States
11 citizen juror acknowledgements.

12 During said audit, it was identified that the
13 individual contained in this investigation was
14 potentially a non-U.S. citizen, and therefore did not
15 meet the qualifications to be registered to vote in
16 Georgia.

17 MEMBER GRUBBS: This case was continued from
18 the February meeting. Cobb County was -- as a
19 respondent. Mr. Fairbanks, Respondent Fairbanks was
20 referred to the AG during the January meeting.

21 Cobb County -- who asked for Cobb County to --

22 VICE CHAIR JOHNSTON: To be added?

23 CHAIR FERVIER: Right. I don't recall.

24 VICE CHAIR JOHNSTON: The request to add Cobb
25 County was whether they are also doing audits to

1 identify non-citizens and did Cobb County send precinct
2 cards to this registrant to give the registrant an
3 opportunity to request to be canceled if they were
4 accidental (indiscernible) the voter rolls.

5 CHAIR FERVIER: Mr. White, do you have a
6 response to that?

7 MR. WHITE: Well, yeah, my notice from the
8 last meeting was -- the person I had that was unresolved
9 was the voter (indiscernible). That was the open
10 question that I -- I went back to look at my notes
11 against before this hearing and I submitted that letter.
12 My assumption at the time was that maybe that voter
13 didn't (indiscernible) but it's actually better than
14 that. The day we found out, the minute Cobb County
15 found out about the mishap with the juror
16 (indiscernible) based on his non-citizenship information
17 on the registration, they canceled that first day.

18 So the day Cobb County found out about it
19 (indiscernible) is when they canceled that registration,
20 and that's the only question I had. I didn't have any
21 (indiscernible). I mean, the audit process about
22 (indiscernible) what caused this, so we followed the
23 same process as the other counties in terms of when we
24 received that information from the Secretary of State.
25 We go ahead and cancel the --

1 VICE CHAIR JOHNSTON: Daniel, if your city
2 finds a non-citizen on the voter rolls, do you refer
3 them to the District Attorney also?

4 MR. WHITE: I mean, in this instance, we did.
5 I mean, this is one that was -- the discovery was made
6 by the Secretary of State, and so the contact was made.
7 So our staff (indiscernible), but then we didn't -- I'm
8 not aware if we had any discussions about referring
9 them -- because the other thing is I don't think
10 (indiscernible) history, at least in the services there,
11 and then if vote is cast (indiscernible).

12 VICE CHAIR JOHNSTON: I think felons are
13 direct -- felons that register to vote are instructed in
14 the code to be referred to the district attorney. I
15 just did not know if you had the same policy concerning
16 non-citizen registrants. Thank you.

17 CHAIR FERVIER: Any further questions from the
18 board?

19 Cobb County has been listed as a respondent
20 since the last meeting. The chair will entertain a
21 motion.

22 MEMBER KING: I make a motion that we dismiss.

23 CHAIR FERVIER: The motion is to dismiss. Is
24 there a second?

25 VICE CHAIR JOHNSTON: Second.

1 CHAIR FERVIER: We have a motion and a second.

2 All those in favor, signify by saying aye.

3 (Ayes were heard.)

4 CHAIR FERVIER: Any opposition?

5 Hearing no opposition, so moved.

6 Next item on the agenda is the SEB2024-245,

7 Cobb County Photo Case.

8 MR. MILLS: On December 2nd, 2024, the Georgia
9 Secretary of State Investigation Division received a
10 complaint through email alleging that a Cobb County poll
11 worker took a picture of a voter's passport to verify
12 citizenship during the November 2024 election. The
13 complainant expressed concerns regarding identity theft
14 and voter fraud. Respondent is (indiscernible).

15 CHAIR FERVIER: Respondent Michael Churgin
16 (phonetic) is complaining (indiscernible).

17 Mr. Churgin, do you want to address this board
18 for a very short time, please?

19 MR. CHURGIN: Yes, I would. And I apologize,
20 I don't know why my video is not coming on, but --

21 CHAIR FERVIER: We can see you. Can't we?
22 No, I'm sorry.

23 MR. CHURGIN: First, I just wanted to say
24 thank you to the board members for appearing. Also,
25 while I cannot be here in person today, I am grateful to

1 be joining you by Zoom.

2 You've already gotten my name, but by way of
3 introduction, it's Michael Churgin, and my wife is Lydia
4 Churgin. We were together, and it's really her case,
5 our case.

6 We have submitted documentation, a sworn
7 statement, and support documentation to the state
8 investigator, Officer Vaughn (phonetic), so he had that.
9 I also shared it with the board, so you have that as a
10 reference, and I'm here today to obviously represent
11 what happened.

12 It was the 2024 presidential election, and a
13 brief summary of what transpired would be my wife and I
14 went to vote early on Thursday afternoon, October 24th.
15 We got there, we went inside.

16 My wife was a relatively new citizen. She
17 went through the process, very excited to get her
18 citizenship, receive her -- well, immediately went on to
19 register to vote. Received (indiscernible) well in
20 advance, aligned with mine, obviously, so we went
21 together.

22 We walked in the election center, and they
23 identified her as a new citizen and said that they
24 needed to validate her. So I said, I'll meet up with
25 her when I'm done voting and then we'll go from there.

1 They pulled her aside with a gentleman that
2 was the supervisor of that location, and when I went up
3 to ask what was happening, she had her driver's license
4 and her precinct card. And he asked if we had a
5 passport. And I explained that she has her driver's
6 license and precinct card, a passport isn't necessary.

7 He explained that they prefer that. So he
8 said he went to the headquarters on Ratherboro,
9 Marietta. He's waiting for her to be validated, to have
10 a seat.

11 So we sat down for a while, and it was taking
12 some time. It was probably lunch hour. So I said, how
13 long will this take? He didn't know. I said, we'll be
14 back, you guys can validate her, we'll come back, and
15 she will vote. We left.

16 We came back the next evening, Friday about
17 6:00 o'clock, walked in, saw a young lady that initially
18 brought my wife in. She was still there. She
19 immediately took us over to the supervisor. I happened
20 to be with my wife. I was glad I went with her the
21 second time.

22 They took us to the supervisor. It was a
23 woman at that point. And she explained that we were in
24 the day before. The woman asked what credentials we
25 brought. We said we have a driver's license, a precinct

1 card.

2 And she said, do you have a passport?

3 And I said, she doesn't need a passport.

4 She said, yeah, but it helps, and if you have
5 it, I'll take it.

6 I said, we have an authorization certificate
7 and the passport, four identification items. She took
8 all of them, had us take a seat, said she'll be right
9 with us. There was a gentleman in front of us.

10 When we were sitting there, I happened to
11 glance around the gentleman and observed this supervisor
12 using her personal cell phone in an election center
13 taking a picture of my wife's passport. Needless to
14 say, that really was concerning to me and my wife.

15 I got up and approached her. She immediately
16 apologized and explained how she should have asked us
17 first. And I explained to her that she shouldn't be
18 doing it and should not have to ask us, and what did she
19 do?

20 She had texted my wife's passport information
21 on her personal phone to her supervisor.

22 (Indiscernible) and I was furious. And she apologized.
23 I said, you need to delete that right now.

24 We don't even transmit our personal
25 information that way at all, and here's someone in an

1 election center taking my wife's passport picture and
2 transmitting it.

3 We left. I called some people. I followed up
4 with her. Had the woman's supervisor email me that she
5 had deleted the photo. I have emails from both of these
6 women, supervisors, that they actually did and deleted
7 these emails.

8 I don't know what's going on, but everybody
9 was very, very interested in passport pictures as
10 opposed to just verifying that my wife was valid or a
11 license (indiscernible). So we were concerned at many,
12 many levels: Identity theft, the dark web, transmitting
13 personal information, taking someone's personal
14 information without their permission, and everything
15 that transpired.

16 We filed this case, submitted the complaint,
17 all the documentation. It's been raised repeatedly.
18 I've got an email trail for over a year. And we're here
19 today, and I again appreciate you hearing this case.
20 And you should have all that documentation.

21 I have to say I have been listening all day,
22 as best I could, through the YouTube streaming, and it
23 is amazing what you are dealing with, and I appreciate
24 you.

25 So with that, I'll leave it to you for any

1 questions you may have. And I appreciate your time.

2 CHAIR FERVIER: Thank you.

3 Mr. White, do you have a response to that?

4 MR. WHITE: Yes, Mr. Chairman. I submitted a
5 letter on behalf of Cobb County last week --

6 CHAIR FERVIER: Yes, we received it.

7 MR. WHITE: This case was originally
8 scheduled, on the docket to be dismissed several months
9 ago. At the time it was pulled, Dr. Johnston made the
10 comment that, I'm not sure if this is election law
11 issue, and she's correct. This is not an election law
12 issue. This is not the process that Cobb uses, it's not
13 a process that Cobb instructs its poll workers to use.
14 This person was corrected and apologized.

15 But it's not -- there's no SEB law on this,
16 there's no state law on this, there's no -- even if
17 there was a state law, it would be in a different part
18 of the code. It's not under the SEB's jurisdiction. So
19 you know, that's the number one issue, that this is not
20 an issue that SEB has jurisdiction over.

21 And secondly, I appreciate his concern for his
22 wife, but this isn't -- he doesn't have -- he's not her
23 lawyer, he's not the voter whose rights have been
24 potentially violated, whose privacy rights have been
25 violated. So there's two jurisdictional issues here to

1 start with.

2 All that to say my county has agreed that's
3 not the process we use, that's not the process that
4 should have been used. I have at least four or five
5 emails (indiscernible) our director, her director,
6 alerting Mr. Churgin and letting him know the photo was
7 deleted, it was not shared, this is not the process we
8 use.

9 And Mr. Churgin, he -- I'm not sure what he
10 wants to see here, other than maybe get his day in
11 court, so to speak, which is fine, but there is no
12 violation that can be enforced against Cobb. It's not
13 the process (indiscernible). There was no sharing done
14 by the poll worker or the poll manager and the photo was
15 deleted, it wasn't shared, it's not on the dark web. I
16 mean, I don't know, this has been (indiscernible)
17 multiple times. And so I don't know how we sort of
18 prove a negative here other than just (indiscernible)
19 and saying this is what we did, we don't do that
20 anymore, and she should have -- and this process is not
21 (indiscernible) our poll workers, like here's what you
22 should ask them for and you should say this, look, you
23 can go into the office yourself and provide them
24 (indiscernible) or we can take the picture and send it
25 in for you (indiscernible). That was the discussion

1 that was missed and (indiscernible).

2 And so to the extent this board has
3 jurisdiction to enforce election rules and election
4 laws, there's nothing here for you to enforce. And so
5 if we need to repeat on the record again and apologize
6 again and say this shouldn't have been done, we're
7 saying it again. It's not how we handle it, it's not
8 how it's going to be done going forward, but there's
9 really nothing that this board can do, and so we would
10 request a dismissal.

11 CHAIR FERVIER: Any questions from the board?

12 MEMBER GRUBBS: Mr. White, I read your letter,
13 and I'd like to -- I noticed what you said about making
14 a rule, and I appreciate you saying that.

15 Is that something that you would be willing to
16 work with me on?

17 MR. WHITE: Yes. I probably have more letters
18 that they sent. You know, I'm fine with that. If they
19 want to be -- I'll work with them, if they ask me to do
20 that, but I mean, if there's a rule that's being
21 proposed that has an effect on Cobb County, I'm sure
22 I'll ask to look at it.

23 MEMBER GRUBBS: Well, I just say that because
24 you recommended that there be a rule. And, you know, we
25 can do rules. And so I would love your input if you had

1 any kind of input on that.

2 I mean, as you can see from here today, we're
3 a little bit attorney shy in the room.

4 MR. WHITE: I understand.

5 CHAIR FERVIER: Any further comments?

6 MEMBER KING: Isn't it against the rules to
7 take a picture in a polling place?

8 CHAIR FERVIER: Yes.

9 MEMBER KING: So does it say it has to be a
10 ballot, or does it just say taking pictures in a polling
11 place?

12 CHAIR FERVIER: Was this a polling place?

13 MEMBER KING: Well, does it say taking
14 pictures in a polling place?

15 UNIDENTIFIED MALE SPEAKER: Was this a polling
16 place?

17 CHAIR FERVIER: No.

18 MEMBER KING: This is an election official
19 that took a picture of a passport.

20 (Crosstalk.)

21 VICE CHAIR JOHNSTON: I think you hit the nail
22 on the head. The important step was missed, that you
23 could have instructed Ms. Churgin to go to the election
24 office and provide her documentation of citizenship in
25 person, however she copied it for herself, rather than

1 putting it on some unknown person's cell phone.

2 And for the poll clerk to take a photograph on
3 her personal cell phone without permission, if she had
4 simply given permission, I don't think we'd be here
5 today talking about this. And I'm sure that the clerk,
6 the election clerk, thought she was accommodating this
7 new voter, but she did not ask permission to take the
8 photo.

9 And Ms. Churgin, I'm sure none of you knew
10 that they would be so alarmed as to take a photo on a
11 personal cell phone also, because we all want to protect
12 our own personal identifying information, of course.

13 CHAIR FERVIER: Yes, Mr. Churgin?

14 MR. CHURGIN: I think my video came on, so
15 hopefully you can see now.

16 VICE CHAIR JOHNSTON: We see you, we see you.

17 MR. CHURGIN: Okay. I just wanted to, for the
18 record, set the record straight.

19 I appreciate Mr. White being here and taking
20 the time from his family obligation, but my wife and I
21 both signed notarized affidavits, we were together
22 through the whole process, and I am a witness, and I'm a
23 participant. She couldn't be here today. That's the
24 first step.

25 The second thing is I have never, or my wife

1 for that matter, we have never received an apology until
2 today. And we have never received any email or anything
3 in writing telling us that this was not the process. So
4 I put that on the record. We have received nothing.

5 And yes, it's very concerning how many
6 citizens are happily voting, going through the process,
7 and this is happening to them. Beyond us, right? It's
8 just not right. And to be so dismissive of me being
9 here, my wife and I, staying on top of this, isn't that
10 similar to what's going on in Fulton County that a board
11 member just raised? And it keeps coming up and it's
12 dismissed and there's no accountability.

13 I have never received an apology, my wife or
14 myself, and I've never received any correspondence in
15 writing as to an apology. Thank you.

16 CHAIR FERVIER: Mr. White, do you have
17 anything further to say?

18 MR. WHITE: I have an email from
19 (indiscernible) where he did apologize. And Mr. Churgin
20 actually testified earlier that the poll worker
21 apologized after it happened. So that's two apologies
22 that I have in the record, I've now made three or four.
23 (Indiscernible).

24 But I'm not being dismissive, my job is to
25 (indiscernible) the Board of Elections, and this board

1 here is election complaints, and this is not an election
2 matter. It's not -- again, it's not the process we need
3 to follow, but what I'm frustrated about is that, at
4 least three or four times it has been communicated to
5 Mr. Churgin, and not to his wife, who never contacted
6 us, is not here today, and who is the reported
7 (indiscernible).

8 I don't mean to be dismissive. I just mean
9 from a legal sense, Cobb County did what they could do
10 to correct this and at least procedurally, Cobb County
11 has done what they can, but there is no law at issue
12 here (indiscernible). So the process has been
13 (indiscernible). This is the investigative path that
14 (indiscernible). So we would request you dismiss the
15 case.

16 CHAIR FERVIER: Any further questions from the
17 board?

18 The chair will entertain a motion.

19 VICE CHAIR JOHNSTON: Mr. Chair, I move that
20 we dismiss this case.

21 And I very much appreciate Cobb County being
22 present to speak and Mr. Churgin being present to speak.

23 Perhaps a lesson will be learned in the future
24 about voter sensitivities, especially new voters, people
25 who are new to the world of elections in the United

1 States, our new citizens. We should celebrate them and
2 their new citizenship, but also be sensitive to
3 everybody's personal identifying information. Thank you
4 so much. So my motion is to dismiss.

5 CHAIR FERVIER: We have a motion to dismiss.
6 Is there a second?

7 MEMBER KING: Second.

8 CHAIR FERVIER: A motion and a second.
9 All those in favor, signify by saying aye.

10 (Ayes were heard.)

11 MEMBER GRUBBS: Mr. Chair, I'm going to recuse
12 myself from this matter because I was involved in it.

13 CHAIR FERVIER: The chair will exercise his
14 right to vote on the motion and vote aye. The motion
15 carries three to zero. Thank you.

16 Thank you both for attending. We appreciate
17 it.

18 The next item on the agenda is SEB2024-251,
19 Cobb County Double Voter in 2024.

20 MR. MILLS: On the date of December 17, 2024,
21 the Georgia Secretary of State Investigation Division
22 received a complaint from Tate Fall, Director of the
23 Cobb County Elections Office, alleging two Cobb County
24 electors had double voting during the November 5th, 2024
25 general election by completing a provisional ballot and

1 voting on election day.

2 CHAIR FERVIER: I would note here a possible
3 dismissal. He was not credited with this provisional
4 ballot because, during processing, the system would not
5 accept it. The Cobb County Elections Office determined
6 that election day credit for voting had been processed.

7 The respondent is Ishmael Carranza (phonetic)
8 and Joe Hill.

9 And who might you be, ma'am?

10 MS. MCKENNA: I'm Christine McKenna. I'm the
11 poll manager at this location.

12 CHAIR FERVIER: Okay. What do you have to --

13 MS. MCKENNA: Well, when you get an email from
14 a criminal investigator, you take that pretty seriously.
15 So I saw this on the agenda in my email, and I did fill
16 out a statement form that was notarized, and I wanted to
17 be here to answer any questions since I was the poll
18 manager at that location.

19 CHAIR FERVIER: So the findings were that the
20 investigation did not substantiate the allegation that
21 the respondents had double voted. The Cobb County
22 Elections Office did not count provisional ballots that
23 were completed by the respondents because the
24 respondents' election day voting was processed and
25 counted. Both respondents were confused about the

1 process and were not given direct information about the
2 provisional ballot voting.

3 Do you have any comments about that?

4 MS. MCKENNA: I do distinctly remember two
5 younger gentlemen coming into the polling location that
6 evening and they did state that they had voted
7 provisionally at advanced in-person voting, and we
8 explained to them at the location that, you know, we
9 didn't -- we saw what we saw in the system. It doesn't
10 show that in the system.

11 And I'm not clear how provisional advanced
12 in-person voting is tabulated at the main office, so I
13 don't have that knowledge at the poll level. So we
14 never turn a voter away and we referred them that
15 they're more than welcome to vote provisionally here if
16 they wanted to.

17 Per our training, that's not our decision to
18 make at the poll location. That is up for the main
19 office to make when all those provisional ballots are
20 collected.

21 And we did explain to them that they would
22 have until 5:00 p.m. that Friday if they wanted to go to
23 the main office. We provided their address and
24 information of the main office and let them know that
25 they could go there.

1 We also called the main office, followed the
2 protocol that we have at the poll location, and we did
3 not have any provisional ballots cast that day. They
4 decided they did not want to do that. It was their
5 choice.

6 And again, we encouraged them, it was myself
7 and there was two assistant poll managers on staff as
8 well, but we did encourage them to go to the main office
9 since it was an advanced in-person provisional ballot,
10 is what they said. That's what they told us at the
11 poll.

12 CHAIR FERVIER: You didn't find any evidence
13 that they were trying to vote twice?

14 MS. MCKENNA: No.

15 CHAIR FERVIER: They were just confused?

16 MS. MCKENNA: No. We just -- it looked just
17 that they were confused on the process, and then, again,
18 I'm not clear at the poll level when those ballots are
19 open. We just directed them they have until Friday at
20 5:00 p.m. of that week to go to the main office if they
21 had other information to provide, because, again, if you
22 vote provisionally, we know you have to provide further
23 information by that deadline, and that's what we
24 instructed them to do.

25 CHAIR FERVIER: Any questions from the board?

1 VICE CHAIR JOHNSTON: Yes, I have a question.
2 These two voters came into your polling place?

3 MS. MCKENNA: Yes, ma'am.

4 VICE CHAIR JOHNSTON: In early voting?

5 MS. MCKENNA: No, this was day of voting.

6 VICE CHAIR JOHNSTON: Day of voting.

7 MS. MCKENNA: Yes, I'm only a poll manager day
8 of.

9 VICE CHAIR JOHNSTON: Election day.

10 MS. MCKENNA: Yes, ma'am.

11 VICE CHAIR JOHNSTON: Okay. And they told you
12 they had voted provisionally already?

13 MS. MCKENNA: Correct.

14 VICE CHAIR JOHNSTON: So why did you let them
15 vote again?

16 MS. MCKENNA: They didn't vote again. They
17 didn't. We told them -- we didn't have a record. We
18 don't have a record of provisional ballots. It didn't
19 come up in the poll pad. So the only choice -- we
20 called the main office.

21 Their options were to vote provisionally at
22 our location because they were in the right poll, which
23 we gave them that option, and then we further advised
24 them, if they did vote provisionally, then they would
25 have -- we showed them the piece of paper that you get

1 at the provisional table that says, you know, whatever
2 that paper says for however the ballot was.

3 They didn't know the type of provisional
4 ballot they even voted, they just knew it was
5 provisional. So we told them they would have received a
6 piece of paper that told them the documentation or
7 information that the Board of Elections needed and that
8 they had until 5:00 p.m. on Friday to provide that at
9 the main office.

10 We gave them an option because, again, I
11 don't -- sometimes voters use different terminology than
12 we use at the polling location. So we weren't sure if
13 they meant provisional or -- it didn't show advanced,
14 you know, advanced voting on the poll pad. So we did
15 just advise them.

16 Again, we're always told never to turn a voter
17 away, to advise provisional and then let the main office
18 handle that. So that's what we did. They chose not to
19 vote provisionally. My paperwork that night showed zero
20 provisional ballots.

21 And, again, we encouraged them to go to the
22 main office by 5:00 p.m. on Friday.

23 CHAIR FERVIER: Are you sure you're talking
24 about the same people? Because the report here says
25 that they -- the Cobb County elections office did not

1 count provisional ballots that were completed by the
2 respondents because the respondents' election day voting
3 was processed and counted.

4 MS. MCKENNA: I don't know. I'll actually
5 tell you, when I got this information, about the
6 investigation. I had no idea what it was about.

7 CHAIR FERVIER: So you don't know whether
8 you're talking about these two individuals or not?

9 MS. MCKENNA: Well, the investigator had
10 mentioned to me on a phone call that it may be a
11 provisional ballot issue, and I remember two younger men
12 coming in and questioning about that. I assumed that's
13 what it was. I didn't know it was a double vote until I
14 actually got the agenda for this meeting.

15 So when the investigation happens, we don't --
16 I didn't get any information about what it was about,
17 actually. And nobody at the main office shared that
18 information with me, either.

19 CHAIR FERVIER: Mr. White might have some
20 comments.

21 Mr. White, do you have comments on this?

22 MR. WALKER: Yes, and I appreciate Ms.
23 McKenna's conviction in showing up.

24 I did not know -- I didn't -- I would have
25 preferred that the investigator let us know that they

1 were contacting our poll person (indiscernible).

2 I think she brought up the information. She
3 had a previous statements that we provided. There's two
4 different things, I think there were some answers to
5 some questions and then a statement that was provided
6 that there was -- they had voted provisionally, and then
7 they were not able to process it because I think their
8 registration had been delayed, and so they were still --
9 when they came in for base voting, they told them they
10 could vote provisionally and they ended up voting on
11 election day and received credit for that.

12 So they didn't -- we did not -- when we went
13 back to reconcile, after election day, in the
14 certification and canvassing process, they got credit
15 for their election day voting.

16 So perhaps if I had met with Ms. McKenna or
17 anybody else ahead of time, we could have gotten on the
18 same page, but I do appreciate her showing initiative
19 and coming down here to do that.

20 All our poll workers (indiscernible) counsel,
21 if you get notice from the State Election Board, that's
22 what we're here for, but the information in the packet
23 is correct, and I think Ms. McKenna is just working off
24 information that she had through the investigator
25 initially, and then after further (indiscernible).

1 MS. MCKENNA: Thank you. If --

2 CHAIR FERVIER: Yeah, if they voted on
3 election day, it counted. The provisional ballots were
4 not counted.

5 VICE CHAIR JOHNSTON: So they voted on the
6 machine, Daniel, on Election Day, on the BMDs?

7 MR. WHITE: They received credit for election
8 day voting.

9 VICE CHAIR JOHNSTON: Election day voting, not
10 election day provisional ballot?

11 MR. WHITE: My understanding is that they
12 voted on election day. I'm sure that what -- I stand
13 corrected.

14 My understanding is that, when they came in
15 for advance voting, that they were told, we don't have
16 voter registration to sign in, and that's -- you can see
17 the timing, their registration had been done when they
18 signed up, but for some reason it did not show up in
19 Cobb's system through the Secretary of State system
20 until October 29th. Both of these individuals.

21 And so as soon as we processed that, then we
22 could have been through the canvassing period, could
23 have processed them that way, but they didn't come back
24 in on election day, and by then, their registration was
25 good and they had done that in like June or July, so

1 they were permitted to actually vote that day. And they
2 may have brought that up, that may be what she's
3 recalling is, you know, I don't know if they were
4 saying, hey, you can vote provisionally, and they still
5 voted, but that's what our documentation shows is
6 that --

7 VICE CHAIR JOHNSTON: I have two concerns
8 about this. One is the report says that they were
9 contacted by -- the voter called the Democratic Party of
10 Georgia to determine if he had voted, and he claims that
11 whoever he talked to on the phone told him to go back
12 and vote on election day.

13 Now, he had already voted by provisional
14 ballot. So are voters being told to just go back and
15 keep voting, and maybe some of them will take?

16 MR. WHITE: I don't know what the Democratic
17 board (indiscernible) where a lot of mail was, so people
18 were worried about their absentee ballots, which that
19 may have been -- I don't know what --

20 VICE CHAIR JOHNSTON: Well, that's my one
21 concern, is the phone call to this 888 number.

22 And the other concern is, why would a Cobb
23 County election worker tell a person to go ahead and
24 vote when they know -- when they were told that they had
25 already voted provisionally, which should be counted,

1 you know, as their cured.

2 Cobb County would have seen -- I mean, Cobb
3 County did see that provisional ballot to reject it, so
4 they should have seen that provisional ballot to accept
5 it if it was the only vote.

6 So inadvertently, Cobb County was telling --
7 allowing these people to double vote. Now, they weren't
8 both counted, but they did double vote.

9 MR. WHITE: Dr. Johnston, if you see the
10 statement there, it talks about how the system -- there
11 wasn't a way, because of the registration update, there
12 wasn't a way to -- there's a module, the provisional
13 vote, so that's how they didn't have the information at
14 the polling location because it's -- that's what they
15 do, they -- we actually (indiscernible) that say, hey
16 (indiscernible), and so it was our (indiscernible) it's
17 not letting us enter these into the module as a
18 provisional. And so that's why the instruction
19 (indiscernible) their registration hadn't been received,
20 so there was no way to do it in the system at the time
21 they -- at the time they, you know -- I don't know, I
22 guess maybe there should have been a process at that
23 time where we could send it out to all the polling
24 locations and have it sort of come in.

25 Regardless, there was not a double because

1 they weren't given credit for it, so they weren't
2 (indiscernible) and that's what the reconciliation
3 process is. We go in and (indiscernible) --

4 VICE CHAIR JOHNSTON: Well, you didn't count
5 them twice, but they did double vote. Those voters
6 double voted, and they were allowed to vote a second
7 time by Cobb County.

8 MR. WHITE: Well, I think they were allowed to
9 fill out a ballot, but the ballot is not cast. The
10 provisional ballot is not cast until it's scanned.

11 VICE CHAIR JOHNSTON: Right, right. Well,
12 they weren't on the voter rolls when they went the first
13 time during early voting, so they were given the
14 provisional. So between the provisional early in-person
15 ballot to election day, somehow or other, then they got
16 uploaded into the system, so they could go into a
17 polling place and vote on a Dominion BMD.

18 MR. WHITE: Yes.

19 VICE CHAIR JOHNSTON: Correct. And so then,
20 somebody has to rely on the astuteness of the
21 provisional clerks at the main office to catch, to
22 actually check the system and see if perhaps that person
23 voted in-person a second time, to reject the provisional
24 ballot that they've already filled out.

25 MR. WHITE: (Indiscernible) the whole issue

1 came up for -- it wouldn't let them enter it in.

2 VICE CHAIR JOHNSTON: It wouldn't let them
3 enter in. I don't know what it wouldn't let them --

4 MR. WHITE: Whenever you go in to load their
5 information, load the provisional ballot, it would not
6 allow the system, whatever it is --

7 VICE CHAIR JOHNSTON: Right.

8 MR. WHITE: I don't have that information
9 (indiscernible) it would not allow (indiscernible).

10 VICE CHAIR JOHNSTON: Correct, but the
11 provisional clerk would -- they had that information by
12 election day or within three days of election day,
13 right? Because they picked it up and rejected it. They
14 checked the system.

15 MR. WHITE: Yes, yes.

16 VICE CHAIR JOHNSTON: Right, right.

17 CHAIR FERVIER: Any further questions?

18 MS. MCKENNA: May I make one quick comment
19 about this?

20 I've been a poll worker for six years now and
21 I've never been investigated before, so I would have --

22 CHAIR FERVIER: We're not investigating you.

23 MS. MCKENNA: I know. I understand that. I
24 understand that now.

25 I would have appreciated a little clearer

1 communication to -- I had no idea what it was about. It
2 was two years ago now, a year-and-a-half ago, because I
3 was contacted in October, and I just was supposed to
4 come up out of my brain something that happened that
5 didn't seem right to me a year-and-a-half ago.

6 And I had no idea what it was about. I had no
7 inkling it was a double voter. I didn't know. I did
8 remember in my head, because we do get a lot of college
9 students that register on campus, and their registration
10 isn't turned in on time. That's very frequent that that
11 happens. So those two gentlemen stuck out in my head as
12 that was possibly what it was.

13 I also was told I would be notified when this
14 was on the agenda. I was not notified. So I would have
15 appreciated a slight bit more of communication on the
16 investigation, because I do appreciate everything Cobb
17 County does to train us. I appreciate the poll workers
18 that were at my poll. Everybody does work very hard for
19 a very long day, and we do take this seriously, and we
20 all work as a great team and value each voter that comes
21 in and their vote, regardless of party. I just want to
22 make that clear, that's how my poll functions.

23 And when I got this, it was just very
24 alarming. I am friendly with the other poll workers.
25 Of course, I emailed them. Did anything stick out to

1 you? And nobody knew anything.

2 CHAIR FERVIER: In the future, in the future,
3 if you are lucky enough to get a letter and you have
4 questions about it, you can send an email to us and ask
5 us, and we'll help you out to understand what it is.

6 MS. MCKENNA: Okay. I appreciate that.

7 CHAIR FERVIER: A lot of those are form
8 letters go out, and they're not individualized
9 necessarily. So if you just send an email to one of us
10 on the board, we can look it up and tell you what it's
11 about.

12 MS. MCKENNA: I didn't get a letter, I just
13 got a phone call, and then I got an email from the
14 investigator.

15 CHAIR FERVIER: Did they tell you how to be
16 here?

17 MS. MCKENNA: I was told -- I did follow up
18 after I sent in my form and said, how will I be kept up
19 to date on this process? And the email I received back
20 in November said, when it's on the agenda, I'll be
21 notified. And I didn't get a notification, but I
22 generally get emails.

23 CHAIR FERVIER: Okay.

24 MS. MCKENNA: Thank you very much.

25 CHAIR FERVIER: If you have questions,

1 seriously, send us an email.

2 UNIDENTIFIED FEMALE SPEAKER: What is your
3 name?

4 MS. MCKENNA: It's Christine McKenna.

5 UNIDENTIFIED FEMALE SPEAKER: I don't see your
6 name on this docket.

7 CHAIR FERVIER: She was -- the investigator
8 notified her about this.

9 MEMBER GRUBBS: So that's part of -- so she's
10 one of my people.

11 The issue that you're talking about, you're
12 exactly right. The communication is not great. There
13 are great investigators at the Secretary of State's
14 Office, but there is a broken process between the
15 Secretary of State's investigative process, and that's
16 when we get notifications and things like that.

17 So we would not have known anything about you
18 being involved. That was all handled by the Secretary
19 of State.

20 MS. MCKENNA: Okay. I appreciate it.

21 CHAIR FERVIER: Thank you very much for taking
22 the time.

23 MS. MCKENNA: Thank you. Thank you.

24 CHAIR FERVIER: Is there a motion on this
25 case? The chair will entertain a motion?

1 VICE CHAIR JOHNSTON: Mr. Chair, I'd like to
2 make a motion to refer to this. I think there is
3 sufficient evidence for double voting for this to go to
4 the Attorney General.

5 CHAIR FERVIER: There's a motion to refer this
6 to the AG. Is there a second?

7 MEMBER GRUBBS: Second.

8 CHAIR FERVIER: There's a motion and a second?
9 Any discussion?

10 Hearing no discussion, all in favor signify by
11 saying aye.

12 (Ayes were heard.)

13 CHAIR FERVIER: Any opposition? There is no
14 opposition. So moved.

15 SEB2025-047, Cherokee County has been
16 continued.

17 The next item on the agenda is SEB2024-082,
18 Gordon County, illegal campaign.

19 MR. MILLS: The Secretary of State's office
20 opened this investigation following a complaint from a
21 concerned citizen of the Gordon County Elections Office
22 stating that Rodney Curtis, sheriff candidate for Gordon
23 County, had posted a giveaway on Facebook for a chance
24 to win (indiscernible) tickets by posting a voter
25 sticker, tagging friends, and sharing the post, a

1 potential violation of OCG 821-257-0.

2 CHAIR FERVIER: The respondent is Rodney
3 Curtis. Is Curtis here? Rodney Curtis? No.

4 There's a statement from Anthony White, which
5 I have no idea what that -- this has anything to do
6 with. There is a statement from Anthony White. I think
7 this might be a different case.

8 So apparently, this gentleman did post this on
9 his Facebook page, giving away some kind of a raffle to
10 raise tickets if you post your voter sticker on there in
11 the comments.

12 Any questions from the board? Potential
13 violation of 21-2570. Any comments from the board?

14 MEMBER KING: Is there anyone here to respond?

15 CHAIR FERVIER: No.

16 MEMBER KING: Okay. I make a motion -- are
17 you ready for a motion?

18 CHAIR FERVIER: Yes, please. Please.

19 MEMBER KING: I make a motion send this to the
20 Attorney General's Office.

21 CHAIR FERVIER: Motion to send it to the AG.

22 MEMBER GRUBBS: Second.

23 CHAIR FERVIER: We have a second. Any
24 discussion?

25 Hearing no discussion, all those in favor of

1 sending it to the AG, signify by saying aye.

2 (Ayes were heard.)

3 CHAIR FERVIER: Any opposition?

4 Hearing no opposition, so moved.

5 Next item on the agenda is SEB2024-172,
6 Pickens County, improper campaigning, clothing in a
7 polling precinct.

8 MR. MILLS: The Georgia Secretary of State's
9 Office opened an investigation after receiving a
10 complaint of a Georgia elector wearing a hat displaying
11 a campaign slogan in the polling place during voting, a
12 violation of the code.

13 CHAIR FERVIER: The respondent is Mr. Cordero
14 (phonetic).

15 Are you Mr. Cordero?

16 MR. CORDERO: Yes, sir. I'm Joe Cordero.

17 CHAIR FERVIER: Mr. Cordero, I want to tell
18 you, I'm from Ellijay Ella Jade. Pickens County is our
19 rival, so I will not hold that against you that you are
20 from Pickens.

21 MR. CORDERO: I know, sir. Yeah.

22 CHAIR FERVIER: Do you have any comments you'd
23 like to make?

24 MR. CORDERO: Say that again, sir?

25 CHAIR FERVIER: Do you have any comments you'd

1 like to make to the board?

2 MR. CORDERO: Yes, sir. 2020, I was wearing
3 the same hat when I voted, and nobody complained about
4 it. So, 2024, honestly, I didn't know that regulation,
5 I guess, changed, and when she told me to take off my
6 hat, I told her, I said, what is the regulations? And
7 she didn't give me any regulations, so I didn't -- you
8 know, I apologize. I didn't know that the regulation
9 changed, and I apologize for my conduct that day.

10 That afternoon, I went to her office trying to
11 apologize, but she gave me the attitude.

12 CHAIR FERVIER: Did you yell, argue, and cuss
13 at them?

14 MR. CORDERO: No. No, sir.

15 CHAIR FERVIER: So, Supervisor Godfrey, would
16 that be incorrect when she says that you --

17 MR. CORDERO: Yes, I don't -- I don't do that,
18 sir. I don't yell and cuss at anybody, sir.

19 CHAIR FERVIER: There was video that.

20 MR. CORDERO: I mean, go ahead.

21 MEMBER KING: What did you apologize for?

22 MR. CORDERO: That -- my attitude, I guess,
23 conduct that morning, when she asked me to take it off,
24 but I don't know the regulations. So, if I would have
25 known, I would have tossed it into my car and not bring

1 the hat.

2 CHAIR FERVIER: Were you argumentative with
3 the investigator when they called?

4 MR. CORDERO: Yeah, they called me about, I
5 would say, two weeks after that, and then I told them, I
6 said, yes, I was wearing a hat.

7 CHAIR FERVIER: You understand that the people
8 that are working in those poll locations work very hard,
9 very long hours, and so --

10 MR. CORDERO: Yes, sir.

11 CHAIR FERVIER: -- you know, regulations, the
12 state regulations, they just have to follow, and, you
13 know, arguing with them really is not a good thing to
14 do.

15 MR. CORDERO: I apologize, sir. I'm retired
16 military, so, you know, I always --

17 CHAIR FERVIER: Where did you serve? You
18 served in the military?

19 MR. CORDERO: Yes, sir. I did 22 years and
20 nine months, to be exact.

21 CHAIR FERVIER: How long?

22 MR. CORDERO: 22 years and nine months.

23 CHAIR FERVIER: What branch?

24 MR. CORDERO: Army.

25 CHAIR FERVIER: Army?

1 MR. CORDERO: Yes, sir.

2 CHAIR FERVIER: I was Army also.

3 MR. CORDERO: I retired out of Fort Benning.

4 CHAIR FERVIER: Fort Benning?

5 MR. CORDERO: Yes, sir.

6 CHAIR FERVIER: You're an infantryman?

7 MR. CORDERO: Yes, sir.

8 CHAIR FERVIER: Good for you.

9 Congratulations. Thank you for your service.

10 MR. CORDERO: Thank you. You too, sir.

11 MEMBER KING: Thank you for your service.

12 MR. CORDERO: Thank you, ma'am.

13 MEMBER KING: I'd like to make a motion.

14 CHAIR FERVIER: Do we have a motion? Yes?

15 MEMBER KING: I make a motion that we issue a
16 letter of instruction, so that he has (indiscernible)
17 and will know next time.

18 CHAIR FERVIER: We have a motion to issue a
19 letter of instruction. Do we have a second?

20 MEMBER GRUBBS: Second.

21 CHAIR FERVIER: We have a motion and a second
22 to issue a letter of instruction. All those in favor,
23 signify by saying aye.

24 (Ayes were heard.)

25 CHAIR FERVIER: Any opposition?

1 Hearing no opposition, so moved.

2 A letter of instruction will be sent to you.
3 It's simply a letter explaining what the law is, so that
4 you know not to do that again.

5 MR. CORDERO: Yes, sir, I won't do it again.

6 CHAIR FERVIER: Thank you for having the
7 patience to sit in here all day. We appreciate you
8 showing up. Showing up does make a difference and
9 hearing your side of the story, so thank you very much.

10 MR. CORDERO: Thank you. Thank you, ma'am.

11 VICE CHAIR JOHNSTON: Please don't wear
12 campaign slogans inside polling locations.

13 MR. CORDERO: I learned my lesson.

14 CHAIR FERVIER: Next item on the agenda is
15 SEB2022-095, Jones County.

16 MR. MILLS: There are two separate
17 allegations, complaints, listed for Jones County, both
18 in the precinct, and the complaints are as follows:

19 Complaint number one, Investigator Kenny
20 Monroe (phonetic) conducted an election day inspection
21 of the City of Gray polling precinct at Fire Station
22 Number 6, and several discrepancies were noted, and they
23 are listed there.

24 And then complaint number two, Investigator
25 Jay Tughton (phonetic) conducted an election day

1 inspection at the City of Gray polling precinct located
2 at Rock Creek Fire Department, and several discrepancies
3 were noted, and they are listed also.

4 CHAIR FERVIER: The respondent is Jones County
5 Board of Elections and Marion Hatton, Jones County
6 Elections Advisor.

7 MS. HATTON: Yes, sir. I'm just here to
8 answer any questions you might have for me.

9 CHAIR FERVIER: And who are you?

10 MS. HATTON: Marion Hatton.

11 CHAIR FERVIER: You're Marion. Tell me about
12 Jones County. How big is Jones County?

13 MS. HATTON: We have 24,000 registered voters.

14 CHAIR FERVIER: 24,000 registered?

15 MS. HATTON: 24,343. Sorry, my mind went
16 blank for a minute.

17 CHAIR FERVIER: Are you sure about that
18 precise number?

19 MS. HATTON: Absolutely.

20 VICE CHAIR JOHNSTON: How many population,
21 28,300?

22 MS. HATTON: Population, I'm not sure.

23 CHAIR FERVIER: Okay.

24 VICE CHAIR JOHNSTON: I'll look it up.

25 CHAIR FERVIER: So there are two different

1 complaints here. Only two poll workers at one location
2 because one called in sick; is that true?

3 MS. HATTON: That is.

4 CHAIR FERVIER: Only one voter access card at
5 the location until 7:17?

6 MS. HATTON: Correct.

7 CHAIR FERVIER: Only two of four BMDs were
8 operational?

9 MS. HATTON: That sounds right. I'm not sure
10 which location you're talking about at this point.

11 CHAIR FERVIER: Okay. The signs not posted
12 inside the poll location?

13 UNIDENTIFIED FEMALE SPEAKER: That sounds more
14 like Robert's, I believe.

15 CHAIR FERVIER: This is for the Fire Station
16 Number 6.

17 MS. HATTON: Okay.

18 CHAIR FERVIER: Signs not posted inside the
19 poll location?

20 MS. HATTON: That, I was not aware of. I was
21 aware of the campaigning sign being too close to the
22 precinct.

23 CHAIR FERVIER: You know there's no campaign
24 signs within a 150-foot limit?

25 MS. HATTON: Yes, sir.

1 CHAIR FERVIER: Any reason -- and you've
2 admitted to all this. Has all this been corrected?

3 MS. HATTON: Yes.

4 CHAIR FERVIER: Has training taking place?

5 MS. HATTON: Absolutely. The couple I have up
6 there now are a couple of my finest poll managers.
7 They're a husband and wife team, they own a very popular
8 business.

9 CHAIR FERVIER: Do they get along?

10 MS. HATTON: Oh yeah.

11 CHAIR FERVIER: Okay.

12 MS. HATTON: Even after a 16-hour day.

13 CHAIR FERVIER: Okay. Allegation two was that
14 the Rock Creek Fire Department electors were not allowed
15 to vote until 7:19 a.m. because BMDs were not
16 operational?

17 MS. HATTON: Yes, sir.

18 UNIDENTIFIED FEMALE SPEAKER: That is correct.

19 CHAIR FERVIER: ATI devices not attached to at
20 least one BMD unit? Voting posters were not posted, or
21 some of them not posted?

22 MS. HATTON: Yes.

23 CHAIR FERVIER: And the poll worker posts were
24 not completed when investigators arrived?

25 MS. HATTON: You're correct.

1 CHAIR FERVIER: What happened with that?

2 MS. HATTON: The poll manager there was not
3 what I thought she was.

4 I instruct my poll managers to go to the
5 precinct the night before, post all signs, put up
6 whatever you can without breaking any seals, without
7 opening any equipment.

8 She said, don't worry about it. I got this.
9 I got it.

10 CHAIR FERVIER: Is she still employed?

11 MS. HATTON: No. That was her last election.
12 Vicky here has taken over. She was there that day at
13 probably 7:02 when she was talking with Investigator
14 Tuchton. We were on the phone together. She was crying
15 at her end, I was crying at my end.

16 I had actually went back to my office that
17 morning, picked up my pocketbook, threw my hands up, and
18 said, you know what? I can't do this anymore. And I
19 quit my job that morning.

20 CHAIR FERVIER: Yeah, I almost did that an
21 hour ago.

22 MS. HATTON: Had it not been for a security
23 officer who pulled me aside and prayed over me, I would
24 have walked out.

25 UNIDENTIFIED FEMALE SPEAKER: It was a bad

1 day. We call it our PTSD day. And I was simply a poll
2 worker that day. I'm the manager now at that one. But
3 I hadn't worked with that new equipment. And when I
4 walked in, she was, the should-be manager was taping
5 very slowly some signs.

6 Her little boy, who is autistic, was running
7 back and forth with a scooter. And then Mr. Tughton
8 walked in at 20 of 7:00, and he knows me from church, so
9 he came to me as manager. She -- I couldn't even get
10 anything plugged in. I had never done those BMDs. I
11 didn't work prior to that because of my husband's
12 health. But I've been with it almost 20 years in
13 different facets.

14 So it was an absolute nightmare day. That's
15 all I can tell you. It was absolutely horrific.

16 And our other poll worker was -- she's my
17 neighbor, and that was her first day of working. And
18 she came back, thank goodness. But the manager did not
19 do her job at all that day. It was absolutely horrific.

20 CHAIR FERVIER: Well, I thank you for stepping
21 up for a very little money and very little appreciation
22 sometimes. I appreciate you.

23 UNIDENTIFIED FEMALE SPEAKER: Thank you. I
24 have a great boss.

25 VICE CHAIR JOHNSTON: Can I ask you a

1 question?

2 UNIDENTIFIED FEMALE SPEAKER: Sure.

3 VICE CHAIR JOHNSTON: This is not pertaining
4 to this.

5 Would your day have been better if you had
6 hand-marked paper ballots and just ballot scanners and
7 ballot marking devices?

8 MS. HATTON: No. No, ma'am.

9 MR. MILLS: No?

10 MS. HATTON: No.

11 UNIDENTIFIED FEMALE SPEAKER: I love what we
12 do. I love how we do it. I really do. And we have a
13 great trainer. We train our poll workers. And I vet
14 poll workers when they come in for their application.
15 And the first thing I do is look at Facebook, and they
16 get a black stripe real quick.

17 So we really care about the integrity of the
18 vote in Jones County, and we work hard. And I want to
19 tell all of you thank you, because sitting here all day
20 today, I recognize that you appreciate us and that you
21 understand it is a very hard and long day. And
22 everybody is scared to death before 7:00 o'clock for
23 that very reason.

24 MS. HATTON: Yes.

25 UNIDENTIFIED FEMALE SPEAKER: So thank you for

1 appreciating us.

2 VICE CHAIR JOHNSTON: You are welcome. Thank
3 you for all of what you do.

4 MS. HATTON: I want to thank Ms. King for
5 recommending No Time to Fail. I've probably watched it
6 six times. I've asked all my poll managers to watch it.
7 I said, that lady is me. I know she cusses a lot,
8 which, some mornings, I'm guilty of, but not in front of
9 other people.

10 MEMBER KING: Yeah, it gave me insight to --

11 UNIDENTIFIED FEMALE SPEAKER: It really does.

12 MEMBER KING: -- what it's like.

13 UNIDENTIFIED FEMALE SPEAKER: And why they
14 started at 5:30 in the morning to dispatch, I have no
15 idea, because we don't.

16 MS. HATTON: We start the night before.

17 CHAIR FERVIER: Any further questions from
18 counsel or the board?

19 The chair will entertain a motion on this.

20 MEMBER KING: I recommend that we issue a
21 letter of reprimand for each of these violations,
22 because it did happen.

23 MS. HATTON: Understood.

24 MEMBER KING: And then going forward, we look
25 forward to having better elections.

1 UNIDENTIFIED FEMALE SPEAKER: We do. He won't
2 come back. I beg him to come back. And he said, why
3 come back? I know you've got it right.

4 CHAIR FERVIER: We have a motion to issue a
5 letter of reprimand. Is there a second?

6 VICE CHAIR JOHNSTON: Second.

7 CHAIR FERVIER: We have a motion and a second.
8 Any discussion?

9 Hearing no discussion, all those in favor
10 signify by saying aye.

11 (Ayes were heard.)

12 CHAIR FERVIER: Any opposition?

13 Hearing no opposition, so moved.

14 UNIDENTIFIED FEMALE SPEAKER: Thank you all
15 for your time.

16 MEMBER KING: Thank you, ladies.

17 CHAIR FERVIER: Have a safe trip back.

18 Next item on the agenda is SEB2024-144,
19 Wilkinson County conduct of a candidate in the elections
20 office.

21 MR. MILLS: The Office of the Secretary of
22 State received the following complaint on September 5th,
23 2024.

24 Is this continued?

25 CHAIR FERVIER: I didn't see it continued. I

1 didn't see it continued.

2 MR. MILLS: It's been on my agenda.

3 CHAIR FERVIER: Okay. All right.

4 MR. MILLS: All right. Kelly Chapman, the
5 Wilkinson County Election Supervisor, reported that, on
6 9/5/2024, David Hardericus (phonetic), a candidate for
7 the Wilkinson County Board of Education Chairman, came
8 into the Wilkinson County Elections Office to review the
9 ballot for the general election.

10 While in the office, he was told he could not
11 photograph the ballot. He did verbally assault her and
12 intimidate her to the point that she felt he was going
13 to physically attack her.

14 CHAIR FERVIER: Respondent is David
15 Hardericus. Is Mr. Hardericus here?

16 I find this one very disturbing, his conduct,
17 and his identity. Police confirmed that it occurred.
18 Police had to have him removed. He did verbally assault
19 this person and threaten her with physical harm. I
20 think that this board should take some strong action
21 against this individual.

22 Any questions on this?

23 The chair would entertain a motion to send
24 this to the DA.

25 MEMBER KING: Yes, I make a motion that we

1 send this to the Attorney General's Office and the local
2 DA.

3 CHAIR FERVIER: We have a motion to send this
4 to the Attorney General and the DA. Is there a second?

5 MEMBER GRUBBS: Second.

6 CHAIR FERVIER: We have a motion and a second.
7 Any discussion?

8 Hearing no discussion, all those in favor
9 signify by saying aye.

10 (Ayes were heard.)

11 CHAIR FERVIER: Hearing no opposition, so
12 moved.

13 Next item on the agenda is SEB2023-063,
14 Stevens County Illegal Campaign in the City of Toccoa.

15 MR. MILLS: The Secretary of State opened an
16 investigation after it was reported by the Stevens
17 County Elections Office that they were made aware of a
18 video posted on social media which showed a Toccoa
19 municipal candidate standing within 150 feet of the
20 polling site near a "Vote Here Today" sign, encouraging
21 voters to vote for them during the election in which
22 they were a candidate.

23 CHAIR FERVIER: The respondent is Linwood
24 Cannon (phonetic). Is Mr. Cannon here?

25 So my understanding from this is that Mr.

1 Cannon was a candidate and after voting, he left, and
2 before he exited the 150-foot prohibition campaign, he
3 stopped and his wife took a video of him in front of the
4 sign encouraging people to vote.

5 And he claims that he wasn't encouraging any
6 individuals but simply making a campaign video that he
7 then -- so any questions on this?

8 MEMBER KING: He did provide a statement.

9 CHAIR FERVIER: He did provide a statement.
10 The chair will entertain a motion.

11 MEMBER KING: I make a motion that we issue a
12 letter of instruction.

13 CHAIR FERVIER: We have a motion to issue a
14 letter of instruction. Is there a second?

15 MEMBER GRUBBS: Second.

16 CHAIR FERVIER: We have a second. Any
17 discussion?

18 Hearing no discussion, all those in favor
19 signify by saying aye.

20 (Ayes were heard.)

21 CHAIR FERVIER: Any opposition? Hearing no
22 opposition, so moved.

23 Next item on the agenda is SEB2024-127, Morgan
24 County Petition Verification Issue. 127, it's Number
25 73.

1 MR. MILLS: The Georgia Secretary of State's
2 Office opened an investigation after it received a
3 report from the Morgan County Elections Office regarding
4 several questionable entries on an independent
5 presidential candidate nomination petition.

6 It was reported that several signers on the
7 petition had identical, incorrect dates of birth/or
8 contained the address of a post office located in the
9 City of Madison. Fraudulent information is a potential
10 violation.

11 CHAIR FERVIER: Respondent is Lee Crenshaw.

12 Is Mr. Crenshaw here? No Mr. Crenshaw.

13 Any questions from the board on this one?

14 The chair will entertain a motion.

15 MEMBER KING: I make a motion that we send
16 this to the AG's office.

17 CHAIR FERVIER: We have a motion to send it to
18 the AG. Is there a second?

19 MEMBER GRUBBS: Second.

20 CHAIR FERVIER: We have a motion and a second.
21 Any discussion?

22 Hearing no discussion, all those in favor
23 signify by saying aye.

24 (Ayes were heard.)

25 CHAIR FERVIER: Any opposition?

1 Hearing no opposition, so moved.

2 Next on the agenda is SEB2024-146, Morgan
3 County Third-Party VR and AVM Application Issues.

4 MR. MILLS: The Georgia Secretary of State
5 opened an investigation after it was reported that two
6 individuals submitted to the Morgan County Elections
7 Office several unsealed voter registration applications
8 which they delivered on behalf of several residents of
9 the Madison Health and Rehab Center.

10 These applications were not properly sealed by
11 the applicant prior to being collected and delivered to
12 the elections office.

13 CHAIR FERVIER: Wow. The respondents are
14 Marie Carrera.

15 MS. CARRERA: I'm Marie Carrera.

16 CHAIR FERVIER: Marie Carrera. Mary McGill.
17 Mary McGill. And you must be Bonnie Patsy Harris?

18 MS. HARRIS: Yes. Yes, I am. Yes.

19 CHAIR FERVIER: Outstanding. Welcome.

20 MS. HARRIS: We're here.

21 First of all, thanks a lot for extending your
22 day today so that we could come in tonight, being on the
23 tail end here.

24 In 2024, we were asked by the administration
25 of a nursing home in Madison to help some residents with

1 some absentee ballot applications and voter
2 registration. We went with the purest intentions.

3 I speak for the three of us in saying that we
4 were absolutely mortified at and I'm sorry for the
5 mistakes we made while registering voters and working
6 with their absentee ballot applications.

7 As soon as we heard about our mistakes that
8 afternoon, we immediately stopped registering. The rest
9 of that day and during the next, we worked closely with
10 our county election supervisor, Jennifer Doran to
11 correct our mistakes and to learn the proper procedures.

12 I was the one who had the most experience in
13 the process, having registered many voters years before,
14 but I had no idea that the law had changed on some of
15 the procedures. And I take full responsibility for our
16 mistakes.

17 Any questions?

18 CHAIR FERVIER: Anybody else want to talk?
19 You all drove all this way, you may say something.

20 MS. MCGILL: I just second what Patsy said.
21 Our mistakes were unintentional, stemming from
22 inadequate knowledge, and we were horrified and
23 embarrassed and humiliated by our mistakes. So we're
24 truly sorry for our involuntary errors.

25 MS. CARRERA: We're very sorry that this

1 happened, and that we did not find out exactly how to do
2 this. And I can tell you, I'm never doing it again.

3 CHAIR FERVIER: You're never going to help
4 anybody again?

5 MS. CARRERA: No, no, I'll go find another way
6 to help my community.

7 CHAIR FERVIER: You all have all been
8 retrained and (indiscernible) this properly?

9 MS. HARRIS: Yes, she has pointed us --
10 Jennifer has pointed us in the right direction.

11 MS. DORAN: I would like to speak. I know I'm
12 the one that filed the complaint, but I also want to
13 speak on their behalf.

14 CHAIR FERVIER: Introduce yourself, please.

15 MS. DORAN: I'm sorry, I'm Jennifer Doran.
16 I'm the elections director for Morgan County.

17 Ms. Harris has been a local, helping people
18 for many, many years, and the law has changed from the
19 last time she did it. COVID hit, everybody sort of went
20 in their own direction. And so when she came back to
21 help voters, the law had changed about absentee
22 applications, and she was unaware.

23 So, like, there was no mal-intent. You know,
24 they're out there getting all the voters -- we have a
25 high vote rate in Morgan County, and it's because all

1 the people who encourage all the other voters to vote.

2 CHAIR FERVIER: Thank you.

3 Any questions from the board for these ladies?

4 MEMBER GRUBBS: I don't have any questions,
5 but I would just like to say thank you for helping our
6 more vulnerable voters. That's one of the things that's
7 very close to my heart, because you see people in these
8 retirement facilities or nursing homes, and, you know,
9 they still have their mind, they want to vote, they
10 don't have families to help them, and that topic has
11 come up a lot on this board previously, before I was on
12 the board.

13 And so I just want to say thank you. Don't
14 get discouraged. Just learn to do better. And you
15 can't help it when the law changes, and then, you know,
16 I'm not going to say it's the best process in the world,
17 because I don't think it is.

18 But don't lose heart. And thank you for being
19 there for our elderly. It's very, very important.

20 MS. MCGILL: Thank you so much.

21 CHAIR FERVIER: Thank you. The chair will
22 entertain a motion.

23 VICE CHAIR JOHNSTON: I also have a very
24 special place in my heart for the vulnerable voters, so
25 those that are in assisted living homes, long-term care

1 facilities, need to be cared for and protected, and
2 their ballot needs to be protected.

3 MS. HARRIS: And you're right, their mind is
4 still there. They talked to us, they were all in
5 wheelchairs and wanted to do this so badly and would do
6 anything to help us to get it --

7 MS. MCGILL: And want to vote.

8 VICE CHAIR JOHNSTON: Right. And they've
9 given up their cars, so they can't -- they don't drive
10 anymore. I'm sure they loved seeing all of you.

11 MS. MCGILL: I think they did.

12 MS. HARRIS: We loved doing it. We just wish
13 we'd done it better.

14 VICE CHAIR JOHNSTON: Well, there is a
15 process. It needs to be done correctly.

16 MS. HARRIS: Yes, ma'am.

17 CHAIR FERVIER: The chair will entertain a
18 motion.

19 MEMBER KING: Mr. Chair, I make a motion to
20 issue a letter of instruction that clearly outlines the
21 new process, that you'll have in writing.

22 And I love Madison, by the way.

23 CHAIR FERVIER: We have a motion to issue a
24 letter of instruction.

25 MEMBER GRUBBS: Second.

1 CHAIR FERVIER: And a second. All in favor,
2 signify by saying aye.

3 (Ayes were heard.)

4 CHAIR FERVIER: Any opposition? Hearing no
5 opposition, so moved.

6 Thank you, ladies.

7 MS. MCGILL: Thank you very much.

8 CHAIR FERVIER: Next item on the agenda is
9 SEB2024-203, Morgan County, false registration by voter
10 in 2024.

11 MR. MILLS: Georgia's Secretary of State's
12 Office opened an investigation after receiving a
13 complaint concerning two voters who were reportedly
14 ineligible to vote in Morgan County, Georgia.

15 The two individuals voted in Morgan County,
16 Georgia on November 5, 2024, federal general election,
17 violating the official code of Georgia.

18 CHAIR FERVIER: The respondents are Caroline
19 Kaufman and William Kaufman. Are either one of those
20 individuals here? Caroline or William?

21 This complaint appears to be for individuals
22 that travel a lot and continually move and are on the
23 go.

24 Any questions from the board on this?

25 The complaint was substantiated since they

1 used a home address where they no longer live or own
2 since 2021. It says the registration director advised
3 the Kaufmans to use a courthouse address since they
4 don't have a permanent residence. However, the day of
5 the report, the voter registration system continues to
6 reflect their former address. The admin will make
7 contact with the Kaufmans.

8 MEMBER GRUBBS: Mr. Chair, I would make a
9 motion that we issue a letter of reprimand.

10 CHAIR FERVIER: I'm not quite sure where to
11 get it sent to because we can't seem to find them. I
12 mean, I really don't know where you send it to.

13 MS. DORAN: May I explain -- I'm sorry.

14 CHAIR FERVIER: Yes, please. I'm sorry.

15 MS. DORAN: Jennifer Doran again.

16 They actually have re-registered now, and they
17 are in another county in Georgia, not in Morgan County.
18 So there is a valid address on file in Jarvis now. I
19 don't remember the county, but I just saw them on our
20 moved out of county list a month or two ago. So they
21 just found a house and moved.

22 CHAIR FERVIER: Can you provide that address
23 to us?

24 MS. DORAN: I'll look it up. I will email it
25 to you tomorrow.

1 MR. MILLS: Our two investigators are at the
2 table right behind you.

3 MS. DORAN: Okay. I sure will.

4 CHAIR FERVIER: Thank you very much.

5 MS. DORAN: All right. Thank you.

6 CHAIR FERVIER: We have a motion to issue a
7 letter of reprimand. Is there a second?

8 MEMBER KING: Second.

9 CHAIR FERVIER: We have a motion and a second.
10 All those in favor of issuing a letter of
11 reprimand, signify by saying aye.

12 (Ayes were heard.)

13 CHAIR FERVIER: Any opposition? Hearing no
14 opposition, so moved.

15 Next item is SEB2024-233, Morgan County,
16 campaign attire, Polling Location 233.

17 MR. MILLS: On November 18, 2024, the
18 Secretary of State Investigation Division received a
19 complaint alleging that a voter arrived at the polling
20 location in Morgan County wearing a shirt with campaign
21 slogans promoting Trump and Vance. The shirt read, "I'm
22 voting for the outlaw and the hillbilly." A picture of
23 Trump and Vance was pictured on the front of the
24 T-shirt, a potential violation of the code.

25 CHAIR FERVIER: Tara Stephens is the

1 respondent in this case. Is Tara, or Tara, Stephens
2 here?

3 MEMBER GRUBBS: There's a letter in the file
4 sheet. She is unable to be here.

5 CHAIR FERVIER: There's a rather lengthy
6 letter in the file from Ms. Stephens.

7 Any questions from the board on this?

8 MEMBER GRUBBS: Mr. Chairman, I would
9 recommend a letter of reprimand.

10 CHAIR FERVIER: We have a motion to issue a
11 letter of reprimand to respondent. Is there a second?

12 VICE CHAIR JOHNSTON: Second.

13 CHAIR FERVIER: We have a motion and a second.
14 Any discussion?

15 Hearing no discussion, all those in favor of
16 issuing a letter of reprimand, signify by saying aye.

17 (Ayes were heard.)

18 CHAIR FERVIER: Any opposition?

19 Hearing no opposition, so moved.

20 Next item is SEB2025-016, Morgan County
21 Municipal candidate assisting voter.

22 MR. MILLS: On April 1, 2025, the Secretary of
23 State Investigation Division received a complaint
24 alleging that a Morgan County City Council candidate
25 assisted a voter during the March 18, 2025 city election

1 in Madison, Georgia, a potential violation.

2 CHAIR FERVIER: The respondent Timothy
3 Robinson. Is Mr. Robinson here?

4 Mr. Robinson, please come up.

5 MR. ROBINSON: Good evening.

6 CHAIR FERVIER: We didn't make you come back a
7 second day.

8 MR. ROBINSON: Please don't. I've got
9 patience like Joe, but I've been waiting.

10 Good afternoon. I'm Timothy Robinson.

11 Let me -- I'm jet-lagged a little bit.

12 On March 18th, that was election day for a
13 special election. I was one of the candidates. And on
14 that particular day, I was coming from another
15 direction. They made some Habitat -- we was at Habitat
16 meeting, we were looking at a piece of property. So I
17 come back down a side street through a residential
18 neighborhood, and the individual that Ms. Dern
19 (phonetic) -- I'm allegedly guilty of assisting, he
20 asked for a ride to the polls, and I did that.

21 I didn't come to fabricate nothing. I come to
22 be truthful and honest about this situation. He asked
23 for a ride to the polls. So I stepped out of the
24 vehicle. I said, man, make sure you've got everything
25 you need before you go in there, because if I leave,

1 you're going to have to walk another two miles back
2 home, that's bottom line, because I had something else
3 to do.

4 So he stood there, and he explained, Ms. Dern
5 and three poll workers there, that he had a problem. He
6 was blind in the right eye, and his left eye was
7 blurred. He couldn't read the small writing. He said
8 multiple times, I stated this to the investigator, that
9 he said multiple times, can I get some help? Can I get
10 some help? Neither one of the ladies said yes or no.

11 He turned around and said, can he help?
12 That's all he said. And the only thing I could see, the
13 lady said, can I see your ID? I pulled the ID and the
14 driver's license out of my pocket. Gave it to her, she
15 made some-lady put it in the voter's card and made me
16 sign the book. So we were so -- and Ms. Dern was
17 standing in her doorway when I walked in the door.

18 And the lady, if they had told me, Mr.
19 Robinson, you can't be in this building, or Ms. Dern had
20 told me, you need to leave, I would have turned and
21 walked out that door. Then I wouldn't have to be
22 endured with this today.

23 But I can admit whatever the report was that I
24 violated the system, he asked, and when they gave me a
25 proof of my driver license, I was under the impression

1 that it was okay. That's my opinion.

2 CHAIR FERVIER: Did you know this guy?

3 MR. ROBINSON: No, no, no, no, no, no, I
4 didn't know him. He was -- he lived in the
5 neighborhood. He did a lot of odd jobs around there,
6 but I did not solicit or entice him for no vote. No,
7 sir.

8 CHAIR FERVIER: You didn't know him
9 personally?

10 MR. ROBINSON: I don't know him personally,
11 but I know him. Actually, he worked for my pastor.
12 That's the only way I know him.

13 CHAIR FERVIER: Okay.

14 MR. ROBINSON: But other than that, I did not
15 solicit or entice him, because I really wasn't intending
16 to run for 2000- -- then I was going to wait until '28,
17 because the councilman that had that seat, he reached
18 out to me and said, I'm resigning and moving to run for
19 county commissioner, here's your opportunity to step up
20 to the plate.

21 And I put my name in the pot just to see what
22 I could do. But I didn't have about three weeks to do
23 anything about campaigning. Just three weeks. And it
24 was a short notice, and I tried it to see where I got.
25 And, you know, obviously (indiscernible) 100 votes. But

1 that let me know where I needed to work toward if I
2 decided to run in the near future. Because right now,
3 my job discretion, if I'm allowed or able to run in the
4 near future.

5 But I didn't have all the knowledge, I didn't
6 have all the rules and regulations when this occurred.
7 But now I have.

8 CHAIR FERVIER: So you just read the
9 candidates to him? You read the candidates to Mr. --

10 MR. ROBINSON: Yes, sir. I read that. He
11 asked -- because he asked then. I told him who it was.
12 And I know both of them, myself and one and the other
13 candidate. I did read it to him.

14 CHAIR FERVIER: Okay.

15 MR. ROBINSON: I did read it.

16 CHAIR FERVIER: And he voted himself?

17 MR. ROBINSON: Yes.

18 CHAIR FERVIER: Okay.

19 MR. ROBINSON: I didn't push the button. I
20 read it to him because about three months ago, he got
21 hit in the eye with a brick in an altercation, hit in
22 the right eye, that's what happened.

23 And he asked for some help at the poll. And
24 her poll worker refused, didn't say nothing. I don't
25 know what the problem was that day. Because he came

1 there looking homeless. He was dirty, had been working.
2 And he smelled like alcohol, because when he got in my
3 truck, alcohol was on his breath. And I knew it because
4 it was loud enough in my truck. I said, boy, you're
5 drinking, it's too loud in here.

6 So I don't know if that's why they refused to
7 help him, but when they asked for my driver's license,
8 I'm going to assume they gave me responsibility to help
9 him. That's the only reason why I did.

10 CHAIR FERVIER: Okay. Ms. Dern, do you have
11 any comments to make about that?

12 MS. DERN: I absolutely do.

13 CHAIR FERVIER: Don't leave, sir.

14 MR. ROBINSON: Yes, sir.

15 CHAIR FERVIER: Don't leave yet.

16 MS. DERN: So when he came in, I was in my
17 office, which is sort of catty-corner, I can look out,
18 not where the check-in station is.

19 But our poll workers regularly, if someone
20 comes in and needs assistance, we will sign the oath of
21 assistance, which is allowed by law, to help. They
22 would not have refused that.

23 He did not -- Mr. Hyman (phonetic), who is the
24 voter that he assisted, they came in together. It's not
25 that Mr. Hyman came in and was kind of confused and was

1 unable to do anything. They both came in. He said he
2 was going to assist.

3 And I didn't see them until they were already
4 at the voting booth and walking away. And I went and I
5 was like, ooh, that was the candidate. Because he had
6 come in earlier that day and voted. So that's why I
7 went ahead and looked at the signature and it verified
8 that it was Mr. Robinson, the candidate.

9 But I categorically deny that my poll workers
10 would refuse to help anybody. Look, we are a farming
11 county. We have people who come in with cow poop on
12 their boots, who are not very fresh. They come in. We
13 would never deny anybody assistance.

14 But here or there, him entering the polling
15 place after he had already voted and on the candidate --
16 or had already voted on the ballot, him coming in before
17 he even knew, as he said, that Mr. Hymen needed
18 assistance, is a violation. If he were bringing him in
19 and dropping them off and sitting in the car, because
20 people do that, that scenario wouldn't have happened.

21 CHAIR FERVIER: Let me ask a question. Is it
22 possible that the poll workers didn't deny him, that
23 they didn't offer assistance, and that this gentleman
24 coming in with Mr. Hymen, they assumed that he was there
25 to assist him?

1 MS. DERN: Well, if he had -- if they -- so
2 generally, when somebody comes in and says, I need help,
3 because either a physical disability or illiteracy, when
4 someone's standing there, we generally assume that's why
5 that person is there.

6 CHAIR FERVIER: Right, so that's what I'm
7 asking if that's a possibility. They didn't deny
8 assistance --

9 MS. DERN: They wouldn't have said, we're not
10 going to help. Right. But if he is already standing
11 there beside the voter, we are going to make that
12 assumption, especially if he's saying that he's unable
13 to see, and obviously, Mr. Hymen wasn't driving, Mr.
14 Robinson was.

15 CHAIR FERVIER: That seems to be likely what
16 occurred in this case.

17 MS. DERN: Yeah. And they definitely would
18 not have refused. And we've had people who -- the
19 senior center will bring in voters and they'll come in
20 and say, we need help because we're unable to read or
21 physical disability, and we offer to sign the oath of
22 assistance, to go in there, not just to do the
23 instructions.

24 CHAIR FERVIER: The chair will entertain a
25 motion if there's no more questions.

1 MEMBER KING: I make a motion that we issue a
2 letter of instruction that will explain this process,
3 for the next time you run.

4 CHAIR FERVIER: We have a motion for letter of
5 instruction. Is there a second?

6 MEMBER GRUBBS: Second.

7 CHAIR FERVIER: We have a motion and a second.
8 All those in favor, signify by saying aye.

9 (Ayes were heard.)

10 CHAIR FERVIER: Any opposition? Hearing no
11 opposition, so moved. A letter of instruction will be
12 issued.

13 Thank you very much for showing up today, sir.

14 MR. ROBINSON: Thank you.

15 CHAIR FERVIER: Showing up matters.

16 The last case on the agenda for today is
17 SEB2024-1330, Oconee County, improper municipal
18 qualifying procedures, August of 2024.

19 MR. MILLS: The Georgia Secretary of State's
20 Office opened an investigation after receiving a report
21 about a change in the City of Watkinsville's 2024
22 mayoral and city council qualifying dates. It was
23 reported that the city qualifying dates in years prior
24 were all held in August. However, in 2024, qualifying
25 was held in March, a potential violation dealing with

1 filing notification.

2 The complaint was also alleged that Ocone
3 County failed to make proper notification of qualifying
4 dates.

5 And Mr. Chairman and Board Members, I had the
6 privilege of serving with Former State Representative
7 Bob Smith. He's a fine gentleman, but he has had
8 hearing challenges ever since I've known him, and when
9 you speak, if you would just hold this in your hand, it
10 will help him hear what you're saying.

11 CHAIR FERVIER: Mr. Smith, I'm sorry that
12 you're asked to be last on the agenda today, but that's
13 the way it is.

14 Do you have comments you'd like to make for
15 this Board?

16 MR. SMITH: Yes, sir. I'm Bob Smith of
17 Watkinsville. I probably ate most of your sweet potato
18 souffl in there, so you better hurry up and get it.
19 It's very, very good.

20 But anyways, I appreciate you letting me come
21 before you, but it's a little late because this happened
22 in 2024, but I wanted to have a prelude here, sir.

23 I've had hearing issues since about the third
24 or fourth grade. I won't belabor this long. And I just
25 had cochlear implants done in July, and then three weeks

1 ago, for this ear. And I've gone from 10 percent to 60
2 percent in this ear, in two months. This one's a little
3 tougher.

4 But this brings me to one of the issues that
5 wasn't mentioned here, but I wanted to read something
6 that I received from the superintendent of Oconee County
7 Elections because I'm a friendly guy and there was
8 nobody in the voting booth, and I lingered around, and
9 they said that they told me to leave. I never heard
10 them, never, never heard them.

11 And the letter I got was violation of the code
12 section can be turned over to the state investigation
13 and may result in charges up to a felony. I was taken
14 aback by that. There's enough on that.

15 But I just wanted to show you a prelude. I
16 don't know why they do things like that. Maybe they're
17 a little quick to the gun or something.

18 But why am I here? I'm going to read some
19 prepared notes so we can get out of here.

20 The 2024 qualifying has come and gone. That's
21 water under the dam, over the dam. But the belief
22 locally by some that paid attention to this matter in
23 2024 was it was a rigged system. Nobody knew about it.

24 The local paper only has a handful of local
25 subscribers and nothing was done. And since 1983, when

1 the charter was created the last time, elections
2 qualifying had been in August, sometime the latter part
3 of July and August.

4 And in the book that I sent earlier, probably
5 two or three months ago, it shows seven years of August
6 qualifying. And all of a sudden, I keep using the term
7 all of a sudden, in March of 2024, there's qualifying
8 for four council seats. We have a three council and an
9 even number, and a mayor and two council in an odd
10 number year. And this is the first time that I've ever
11 seen in my life -- I grew up in Watkinsville, I've never
12 seen it otherwise.

13 So here's the situation. The letters that you
14 have seen perhaps in your folder, if they are, is I
15 wrote letters to the Secretary of State. I didn't hear
16 anything from him. I copied some similar letters to the
17 Governor and to Attorney General Carr. Never heard from
18 him.

19 Now, I served with Governor Kemp when he was
20 in the State Senate and we were in the Athens delegation
21 together in the early 2000s, for four years. So I was
22 sort of expecting that maybe I could hear from him about
23 this serious matter.

24 And why is it serious? Less than another
25 month and now here we go again. We're going to be awake

1 this time. Now, can I get somebody to run? Probably
2 not, because what's happening is people see that these
3 gamed systems, they say, hey, I want to be part of that.

4 I was a mayor of Watkinsville for a year and
5 two-and-a-half months, March 13th. I left because -- I
6 resigned because I saw too much stuff that didn't settle
7 with me. I call it, I'm going to try to be careful with
8 this, I call it dishonest wheeling and dealing and wink,
9 wink, nod, nod type of government. And I saw that as a
10 mayor. And that's the reason I resigned. I didn't like
11 what I saw.

12 In the legislature -- and by the way, this 7
13 o'clock hour is starting to sound like an old
14 appropriation meeting where we went to midnight. But
15 you got the good news, and I think we'll be done in
16 about five more minutes, I hope, at least for me.

17 But what we've got is we've got letters that I
18 wrote to those three guys, Secretary of State
19 Raffensberger, ignored it, to the Governor, copied to
20 the Attorney General, copied. I didn't hear from
21 anybody.

22 All I was asking for, all I was asking for,
23 please re-open qualifying because nobody knew about it.
24 I knew about it because I'm paying attention. But the
25 people asked me -- we had three people that were going

1 to run in August. And why do we have three people to
2 run? Because I was told by an old city attorney, you've
3 got to have three. If you want to try to clean up
4 government, you've got to have three. You've got to
5 have three votes. That's the majority. That's the
6 majority.

7 We were looking to do that in 2024 with some
8 excellent candidates. Didn't happen. Will it get them
9 this year? No. They don't want to be part of this
10 because of what they see all the time. And it's
11 happening all over Georgia. It's happening all over
12 Georgia. This type of behavior is happening all over
13 Georgia. Dishonest wheeling and dealing.

14 What the four members -- three members they
15 were trying to do was finally shine some sunshine, some
16 sunshine, the best disinfectant in government on the
17 City of Watkinsville. Shine some sunshine and ask tough
18 questions and demand answers.

19 I did 330 open records to the City of
20 Watkinsville. You would not believe the responses I
21 have received.

22 And you ask people, why don't you run for
23 office? Why do I want to be part of that mess? I hear
24 it all over the state. You hear it all over the state.

25 So what are the consequences? Why am I here?

1 It's too late. But when I talked with the Secretary of
2 State's attorney, his name was -- I forgot his name, I
3 had it written down.

4 I did talk with him about this matter. And he
5 said, oh, this law was put into place in 2012. 2012.
6 So somebody's been violating the law, the election laws
7 of Georgia since 2012. And all of a sudden, March '24,
8 we're going to comply with the Georgia elections law.
9 How great that was.

10 And oh, by the way, because we couldn't get
11 anybody to run, the current county mayor and council
12 gets a free run for another two years with no hard
13 questions and no hard answers.

14 So I ask you, what are the consequences? What
15 is the rule of law? What will the consequences be? And
16 letter after letter, I don't get responses. I keep
17 asking, rule of law, election laws.

18 The election laws that were on the books in
19 2012, and 12 years later, after violating the election
20 laws, we're going to, all of a sudden, all of a sudden,
21 we're going to comply. Too late. Too late.

22 So I appreciate your indulgence. And should
23 you need any of these letters that I've written, it
24 solidifies what I've just said. I deal in facts. I
25 deal in truth. And any way I can help this board, I'd

1 appreciate your -- and I appreciate your indulgence.

2 CHAIR FERVIER: Thank you, sir.

3 Any questions or comments from the board?

4 MEMBER KING: Thank you. I think that you do
5 have a -- yeah, just say thank you. I do believe that
6 we do have a shortage of people who are -- have the
7 integrity that you are exhibiting, particularly in our
8 elected office -- offices. So thank you.

9 MR. SMITH: Thank you, ma'am.

10 CHAIR FERVIER: Any further comments from the
11 board members?

12 MEMBER GRUBBS: Thank you so much. And it
13 breaks my heart that you are not involved as mayor, or
14 that you've resigned, but it's not unusual. I see lots
15 of people that get up to this point with it, they say I
16 can't make a difference, I can't change it. But I
17 personally don't feel that God gave us the spirit of
18 defeat, that he gave us the spirit of get on the
19 battlefield and he'll take care of the rest.

20 So thank you for being on the battlefield now,
21 and bringing this to our attention.

22 What do you think we can do as a board to make
23 a difference?

24 MR. SMITH: My last question was, ma'am, thank
25 you for the question, is if the laws are broken, I don't

1 know what the statute of limitations are, they always
2 get in the way of everything, it seems like, it's one
3 year, two years, two-and-a-half years, or whatever.

4 At what point are there going to be
5 consequences for violating the Georgia elections laws?
6 And if you don't have any consequences, it's sort of
7 like people telling me there's a speed limit sign out
8 there, 55 miles an hour or 65 miles an hour. Oh, that
9 doesn't matter, that's a suggestion.

10 And so my question is, hopefully, is that, if
11 it won't matter now, is there some way to reach in and
12 have some type of enforcement of the election laws?
13 That's my answer to you, ma'am. Thank you very much.

14 CHAIR FERVIER: Someone at the -- a response
15 was given by Oconee County. Is anybody from Oconee
16 County here?

17 UNIDENTIFIED MALE SPEAKER: We just happen to
18 live there, but no.

19 CHAIR FERVIER: There was a response, I think
20 it's important here, Oconee County Board of Elections
21 relied on Watkinsville's history of conducting
22 qualifying in August without fully researching the
23 issue.

24 In fact, for 2020, the correct qualifying
25 period had already passed before the OCB0E undertook the

1 duty to conduct the qualifying. This mistake of
2 reliance occurred in 2022. The OCB0E Director of
3 Elections in 2020 left to work for a vending machine
4 company, and the Director of Elections in 2022 left to
5 work for the Secretary of State.

6 The current Director of Elections, Sharon
7 Gray, came to work for the OCB0E in September 2022 and
8 began reviewing processes and procedures. As part of
9 that review, she consulted with the other side and the
10 state officials and determined the process had been
11 incorrect in 2020 and 2022, and likely for a very long
12 time period to that when the qualifications were
13 conducted by Watkinsville.

14 So this is something that had gone on for
15 quite a while before it was changed.

16 Any further questions from the board? Any
17 comments from the board? If not, the chair will
18 entertain a motion.

19 Anyone? Anyone?

20 MEMBER GRUBBS: Well, I'll just be perfectly
21 honest and say I don't feel like I'm educated enough on
22 it to make a motion. I don't necessarily want to
23 continue it but I'd like time to look through everything
24 to understand it better to make a decision.

25 I don't think we have enough information at

1 this point to make a decision.

2 MEMBER KING: I don't know that there's
3 anything we can do about this.

4 MEMBER GRUBBS: So the only thing that I can
5 say is to make a motion to continue this case to do
6 further investigation. That's all I know.

7 CHAIR FERVIER: Well, an option is to send it
8 to the AG and let the AG deal with a consent order with
9 Oconee County.

10 MEMBER GRUBBS: I agree. However, you already
11 contacted the Attorney General.

12 MEMBER KING: I'm sure he copied them on it
13 and this would be official and they will also get those
14 letters that he sent.

15 MEMBER GRUBBS: Well, I'm quite happy with
16 that, to send it to the Attorney General for action by
17 the Attorney General.

18 I'll make a motion.

19 CHAIR FERVIER: And your motion is?

20 MEMBER GRUBBS: My motion is to refer this
21 case to the Attorney General.

22 CHAIR FERVIER: There's a motion to refer this
23 to the Attorney General. Is there a second?

24 VICE CHAIR JOHNSTON: Second.

25 CHAIR FERVIER: We have a second from Dr.

1 Johnston. Any discussion?

2 Hearing no discussion, all those in favor of
3 sending this case to the Attorney General, please
4 signify by saying aye.

5 (Ayes were heard.)

6 CHAIR FERVIER: Any opposition? Hearing no
7 opposition, the motion carries by a vote of three to
8 zero.

9 MR. SMITH: Thank you. Thank you.

10 CHAIR FERVIER: Thank you.

11 That concludes the cases for today. I
12 appreciate everybody showing up and your patience for
13 being here.

14 Before I adjourn for the day, not adjourn,
15 recess for the day, would the board like to start at
16 9:00 or 9:30 in the morning?

17 MEMBER KING: 9:30.

18 CHAIR FERVIER: 9:30?

19 The chair would entertain a motion to recess
20 for the day and reconvene at 9:30 in the morning.

21 MEMBER GRUBBS: I'll make a motion.

22 CHAIR FERVIER: We have a motion to recess and
23 reconvene at 9:30 in the morning.

24 VICE CHAIR JOHNSTON: Second.

25 CHAIR FERVIER: Second. All those in favor,

1 signify by saying aye.

2 (Ayes were heard.)

3 CHAIR FERVIER: The motion carries three to
4 zero. This board is now in recess until 9:30 in the
5 morning.

6 (The proceedings recessed at 7:16 p.m.)

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CERTIFICATE OF REPORTER

I, NYLA MORRIS, Certified Court Reporter and
Notary Public, in and for the State of Georgia do hereby
certify:

That I digitally reported the proceedings had
and the evidence given, and that said proceedings was
accurately captured with annotations, and that the
transcript is a true and complete record of the
proceedings.

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
hand this 3rd day of March 2026.

A handwritten signature in black ink, appearing to read 'Nyla S. Morris', written over a horizontal line.

Nyla Morris, GA-CCR, CER, CDR

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In the Matter Of:
GEORGIA STATE ELECTION BOARD MEETING

MEETING
February 19, 2026



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GEORGIA STATE ELECTION BOARD

MEETING

Thursday, February 19, 2026

9:35 a.m.

Historic Barrow County Courthouse

30 North Broad Street

Winder, Georgia 30680

Brandon Roberts, GA-CCR, CER, CDR



APPEARANCES

John Fervier, Chair

Janice Johnston, M.D., Vice Chair

Janelle King, Member

Salleigh Grubbs, Member

James Mills, Executive Director



TRANSCRIPT OF PROCEEDINGS

CHAIR FERVIER: Call to order the February 19th -- or 18 and 19th Georgia State Election Board. This board is back in session. We will return to the agenda. We only have a -- half a page today instead of the three and a half that we dispensed with yesterday, so that's good news for everybody.

The first item on the agenda is to approve the minutes. And the board has been provided with minutes from the October 22nd, '25 through the -- and from the November 12th, 2025 meeting. If the board would take a minute to look through the October 22nd, 2025 meeting notes. And are there any questions pertaining to those notes?

And I believe we will expect that Member Grubbs will not be voting on these minutes, as she wasn't with us at the time and was sitting on the other side of the -- over there, so.

MS. GRUBB: I will be glad to recuse myself from the vote on that.

CHAIR FERVIER: Are there any questions from the other board members pertaining to the minutes from the October 22nd, 2025 meeting?

VICE CHAIR JOHNSTON: No questions, Mr. Chair. Is Ms. Ghazal here today?

1 CHAIR FERVIER: No. She's still out of town
2 on business, I believe. And I haven't confirmed that.
3 But I think that she wasn't available either day when
4 she -- when I requested she requested -- when she told
5 us about that. So any -- if there are no questions or
6 comments related to the October 22nd, the chairman will
7 entertain a motion.

8 MEMBER KING: I make a motion to approve the
9 minutes.

10 CHAIR FERVIER: We have motion to approve the
11 minutes from the October 22nd, 2025 meeting. Is there a
12 second?

13 MEMBER GRUBBS: Second.

14 CHAIR FERVIER: We have a motion and a second.
15 Any discussion? Hearing no discussion, all in favor of
16 approving the minutes from the October, 2020 -- October
17 22nd, 2025 meeting of the State Election Board signify
18 by saying aye.

19 (Ayes were heard.)

20 CHAIR FERVIER: The chairman will also vote
21 aye. The motion had a quorum. The motion carries three
22 to zero. Those minutes are approved and are -- can be
23 posted. The next item is the -- to Approve the Minutes
24 From the November 12th, 2025 meeting. Copy for you.
25 Are there any comments or questions or concerns about

1 those minutes? The chairman would entertain a motion on
2 those minutes.

3 MEMBER KING: Mr. Chair, I make a motion that
4 we approve the minutes from November 12th.

5 CHAIR FERVIER: And we have --

6 MEMBER KING: I'm sorry. The January.

7 CHAIR FERVIER: No. November.

8 MEMBER KING: Yes. Sorry. November 12th.

9 CHAIR FERVIER: November 12th.

10 MEMBER KING: November 12th.

11 CHAIR FERVIER: We have a motion to approve
12 the November 12th, 2025 minutes for the State Election
13 Board. Is there a second?

14 MEMBER GRUBBS: Second.

15 CHAIR FERVIER: We have a motion and a second.
16 Any discussion? Hearing no discussion, those in favor
17 of approving the minutes for the November 12th, 2025
18 minutes for the State Election Board signify by saying
19 aye.

20 (Ayes were heard.)

21 CHAIR FERVIER: Any opposition? Hearing no
22 opposition -- I'm sorry. The chairman also votes aye in
23 order to have a quorum. Motion carries, three to zero.
24 Thank you. The next item that's on the agenda's is Old
25 Business. The first item is update on the subpoena for

1 the 2020 election documents and the ballots from Fulton
2 County. Who added that to the agenda?

3 MEMBER KING: Both of us. All of us.

4 MEMBER GRUBBS: All of us, you know, in the
5 board.

6 CHAIR FERVIER: Comments or questions from the
7 board related to that topic?

8 MEMBER KING: Yes, Mr. Chair. I don't mind
9 starting. I haven't made a public comment around my
10 thoughts surrounding the Fulton County seizure that took
11 place and so I wanted to provide that today. I've
12 written them out, so I'm just going to read my notes if
13 that's okay.

14 CHAIR FERVIER: Please.

15 MEMBER KING: I think by now everyone is aware
16 that -- of the FBI served and seizure that took place a
17 few weeks ago. From day one, before anyone knew what
18 was in the warrant, the narratives begin to swarm, which
19 we all begin to hear. While it was public knowledge
20 that I was contacted by the bureau, I had no idea the
21 seizure was going to happen or when it was going to
22 happen. But I hoped for it because as you know, we also
23 subpoenaed for those same documents.

24 But let me tell you why. When I joined this
25 board, Speaker Jon Burns gave me one requirement, and

1 that was to do the right thing. That was my only
2 mission. And I knew that I had a lot to learn. I knew
3 that there were opposing perspectives and a deep-seated
4 mistrust in our system.

5 But what I did not expect was the number of
6 people who would insist that the election was perfect
7 and one of the best in the country, yet cannot explain
8 how the process actually works once the ballot leaves
9 the voter's hand. That's where I felt like I could
10 assist the most. I'm here to shine a light on issues
11 that have stayed in the dark, that have kept people in
12 the dark.

13 Who you vote for is the only secret part of
14 the election. Every other step must be transparent and
15 it must be easy to understand. So you can't do your
16 duty as a citizen if you don't have that understanding.
17 So to be clear, we are not here because of conspiracy
18 theories. We're not here because of the sore loser
19 activists. We're not here because a little bit of fraud
20 that wasn't enough to change the outcome. And we're
21 certainly not here because of some power trip to target
22 Fulton County.

23 We are here because our election has been
24 questioned for a long time, well before 2020. In 2018,
25 Stacey Abrams distrusted the process, claiming of vote

1 flipping, hacking vulnerabilities, and machine crashes.
2 Many of the same people who are upset with her
3 questioning today -- sorry -- many of the same people
4 who were upset with us questioning the elections today
5 supported her back then.

6 We fast forward to 2020, and we all went to
7 sleep with Trump in the lead. Our Secretary of State
8 even confirmed in an interview on election night that
9 Trump's lead was significant. We woke up, and the lead
10 was gone. That raised questions, and it should be
11 rightful questions. It's okay to question.

12 After the first hand count, it was discovered
13 that four counties forgot to upload 6,000 ballots, 1,300
14 of which were from Trump. Over the course of three
15 audits, we got three different outcomes. Unfortunately,
16 the machine audit said Biden won by 12,670 votes. The
17 hand counts showed a lead by 12,284 votes. The
18 certified vote landed at 11,779 votes.

19 Our job is to make sure your vote is not only
20 cast without barriers, but that it counts. Your vote is
21 disqualified if it isn't cast, but it's also
22 disqualified when it's cast -- when it's cast, it isn't
23 counted properly. It's disqualified when a coding error
24 causes you to vote for the wrong candidate. It's
25 disqualified when someone who isn't legal votes 23 times

1 in our elections and votes on how your taxes are to be
2 spent.

3 It's disqualified when 300 people vote in your
4 city race without you knowing -- giving you a council
5 member you did not elect. It's disqualified when a
6 neighboring voter decides who your mayor will be,
7 effectively canceling your voice.

8 We are here because the public asks.
9 Americans did their duty. They researched, they asked
10 questions, they demanded answers. Because of that, we
11 now know that there were ballots that were double
12 counted and tabulated.

13 As we can all see, the recounts were off.
14 Thanks to the efforts of many, we now see that our voter
15 rolls are inflated statewide and they were inflated when
16 nearly 7 million ballot applications were sent to every
17 registered voter, meaning a house where one person lives
18 could have received multiple applications.

19 This opens us up to ballot harvesting like
20 never before. But this isn't a problem that is new.
21 I've worked with Georgia politics for over a decade. I
22 remember door knocking years ago and noticing that some
23 addresses on my app had upwards of 13 names associated
24 with them. And when I knocked on the door and spoke to
25 the resident, I was told that only two people lived

1 there, and that the rest of the people on the list were,
2 were previous tenants.

3 That was over a decade ago, yet there's still
4 a consensus from some that we are not to question our
5 elections or our elected officials, which could not be
6 further from the truth. Protecting this republic isn't
7 just the job of a politician. It requires personal
8 responsibility from every one of us.

9 This is -- there is a universal rule in
10 politics that when the people drop the ball on our duty,
11 the government will always be there to pick it up, and
12 we are not going to like how the government carries it.
13 Voting isn't just a choice, it's a duty. It is the
14 price of a mission for a free society.

15 And right now -- and right now, we are being
16 forced to play the role of the adult in the room. And
17 let's be honest, being the adult is difficult. It means
18 making the tough calls. It means demanding standards
19 when everyone else is shouting for convenience.

20 Americans have drawn the line in saying; It is us saying
21 that our sovereignty is not up for negotiation and our
22 votes are not up for erasure. The only thing that
23 separates us from banana republic and our -- is our
24 ability to choose our own leaders.

25 And right now, the level of vulnerability in

1 our system puts all of our votes at risk. This isn't
2 because our election workers are bad people, it's
3 because they have bad leadership. As a result, they are
4 underfunded, overworked, and left to fend for themselves
5 as if we're living in the wild, wild west.

6 The days of defending those we elected to
7 represent us are over. We are here to trust the word --
8 we are not here to trust the words of politicians who
9 seek their next office the moment they win the first
10 one. We are here to hold them accountable to the job
11 that we hired them to do. We are not the bad guys,
12 those who break their oaths are.

13 The moment we start listening to weak
14 narratives and parroting misleading talking points is
15 the day we hand over our power and lose this country.
16 It's time to stop making excuses for a broken system and
17 start verifying the one thing that keeps us all free.
18 And that's the American vote. And if you don't guard
19 it, if we -- if we don't guard the gate, nobody will.
20 That's my thoughts.

21 CHAIR FERVIER: Okay. Thank you, Member King.
22 Any further questions, comments on this topic?

23 MEMBER GRUBBS: Mr. Chairman, I have a lot of
24 thoughts on this, for the subpoena for the documents.
25 And I do listen to the left and to the right. Because

1 when -- for example, yesterday I had someone call and
2 say, Thank you for treating the people for Morgan County
3 with such respect and compassion. And when people are
4 up here giving public comment, I don't look at them as
5 what their party -- if we registered by party here in
6 Georgia, which we don't. But if we did, I don't look at
7 people through the lens of whether they're left or
8 they're right. I look at what's right and what's wrong.

9 And before I came on this board and there were
10 the subpoenas issued to Fulton County and they had not
11 complied, and then it said, Well, we were going to
12 comply. We were going to. We were about to.

13 And there's criticism overlooking at the 2020
14 election. For me, it's not about the 2020 election
15 solely, it is about everything from 2020 before and
16 forward. Because clearly, with the cases that we hear,
17 things are not okay. Things are not okay in Fulton
18 County. And so, yes, I agree. I was relieved when the
19 action was taken because clearly, our subpoena was being
20 disregarded. It was being fought in court and there was
21 no resolution.

22 So what do you do when a county won't comply
23 with the process, when we as a State Election Board are
24 charged with certain duties by our legislature and we
25 were just given the responsibility by the legislature to

1 do what we do and then the county won't comply?

2 And unfortunately, you know, I was thinking
3 about this yesterday as we had lunch together. You
4 know, we've had allegations of being dysfunctional and
5 that kind of thing. And I thoroughly enjoyed spending
6 time with everyone yesterday. We are all good people
7 just trying to do the right thing. And at the end of
8 the day, we might vote differently, but we're trying to
9 follow a process.

10 And if Fulton had followed a process, the DHA
11 would never have gotten involved. And the fact of the
12 matter is, they had already been to court to destroy the
13 records, and I find it so ironic that they're fighting
14 so hard to get them back. And so it makes me think,
15 what else is there that they don't want the public to
16 know? What else is there that they do not want you, the
17 we, the people, the consent of the governed -- what else
18 is there that they do not want you to know? And
19 unfortunately we don't have an answer to that at this
20 point in time.

21 And I agree with Member King. It's a
22 reflection of core leadership. We deserve transparency.
23 We deserve honesty. And that's not partisanship. But
24 unfortunately, the fourth arm of our activities here is
25 the press and the media. And unfortunately, the press

1 and the media are sensationalizing this and they are not
2 printing the entire truth of what we say. And so my
3 father taught me as a child, never pick a fight with
4 someone who prints newspapers and buys ink by the
5 barrels, right? And there seems to be an unending depth
6 of ink that they will use to print one side of the
7 story.

8 And so I'm asking the press today, tone it
9 down. If you're going to report on the story, if you're
10 going to report on the Department of Justice, if you're
11 going to report on the FBI, if you're going to report on
12 Fulton County, tell the whole truth and nothing but the
13 truth. That's your job. Your job is to report the
14 news. Your job isn't to take sides. But unfortunately,
15 in this day and age, we have the press taking sides --

16 UNIDENTIFIED SPEAKER: And the board, too.

17 MEMBER GRUBBS: -- and broadcasting a
18 narrative that is so one-sided, you are going to get
19 somebody hurt if you don't stop it. Because yesterday,
20 we saw the -- you know, that there was going to be a
21 press conference with faith leaders. I trust that that
22 went okay. I don't really know.

23 This is not something that should be
24 sensationalized. This is something that we, the people
25 deserve honesty, truth, sunlight, transparency, and

1 accuracy in our elections. That's what we want to see.

2 So thank you, Member King, for your comments.

3 CHAIR FERVIER: Member Johnston, do you have
4 some comments?

5 VICE CHAIR JOHNSTON: Yes.

6 CHAIR FERVIER: Please.

7 VICE CHAIR JOHNSTON: Let me say a few words
8 about the State Election Board subpoenas for Fulton
9 County election documents and ballots from the November
10 2020 general election. This has been in the news a lot,
11 and it would be the elephant in the room if we did not
12 say something about it.

13 First, the Georgia legislature is tasked under
14 the United States Constitution and the Georgia
15 Constitution with running elections and setting, at
16 least for federal elections, the manners of those
17 elections. The Georgia legislature has created the
18 State Election Board, this body, to conduct
19 investigations and make determinations with respect to
20 violations of its Election Code.

21 The Georgia legislature has also created the
22 county Boards of Registration and Elections with
23 specific responsibilities for election administration in
24 those counties. Contrary to what some people think,
25 including Robb Pitts, the Chairman of the Fulton County

1 Commission, the election board in Fulton County is not
2 beholden to the county in fulfilling its duties. In
3 fact, the county is charged by the legislature with very
4 few responsibilities and the home rule amendments to the
5 Georgia Constitution specifically do not apply to the
6 conduct of elections or ownership and retention of
7 election documents and ballots.

8 It is important to understand this basic
9 framework in order to try to make sense of the current
10 craziness that is going on. The 2020 election generated
11 an unprecedented number of complaints, investigations,
12 and cases to be heard by the State Election Board. Many
13 citizens filed complaints for the State Election Board
14 regarding the 2020 election.

15 It took citizens years to obtain election
16 records. In a significant number of cases, the
17 legally-required election documents were simply not
18 provided or retained. Let me repeat that. Election
19 documents required to be preserved under state and
20 federal law were not maintained. Intentional
21 destruction of election documents is a felony under
22 federal and state law.

23 We do not know why election documents are not
24 readily available, but we do not want a system where
25 documents required for transparency and accountability

1 are not kept. We do not want a system where county
2 officials and sometimes state officials think it is okay
3 to override or not preserve records.

4 In some cases, the State Election Board needs
5 basic election documents to investigate allegations of
6 election code violations. It also appears that some
7 complaints, cases, or investigations were inexplicably
8 delayed or even dismissed without the knowledge or
9 approval of the board. Many cases were dubbed
10 unsubstantiated only because the legally-required
11 election documents were not provided, even by repeated
12 requests and subpoenas.

13 The State Election Board simply addresses
14 cases brought to the board by the Secretary of State
15 investigators and if indicated, proceeds with further
16 investigations, like what resulted from the Rossi/Moncla
17 complaints and the David Cross complaint.

18 The governor called for an investigation of
19 the Rossi complaint and the State Election Board
20 complied. However, Fulton County did not comply with
21 providing election documents, correcting duplicate
22 counts of ballots and votes, safeguarding ballot
23 standard calculator documents, working out back room
24 pre-arranged deals before the case was heard, providing
25 usually agreed-upon monitoring, preserving, and

1 retaining election records, or responding to subpoenas,
2 to name a few deficiencies.

3 Every effort to complete the investigation of
4 the Rossi allegations was met with interference, delay,
5 and obstruction. So the State Election Board served two
6 sets of subpoenas -- please inform Lauren Collins; he's
7 confused about that -- to Fulton Clerk of the Court and
8 Fulton County DRE because as predicted, a do-si-do dance
9 was performed by the lawyers in Fulton County to avoid
10 access to the election documents and ballots.

11 The first set of subpoenas was for specific
12 election documents served on November 5th, 2024. The
13 second set of subpoenas was for the ballots and oath
14 envelopes sent on October 6th, 2025. After more than a
15 year of interference, frustration, and legal
16 obstruction, the State Election Board called upon the
17 assistance of the Secretary of State, the State Attorney
18 General, the Federal -- and the Federal Department of
19 Justice.

20 The request was made to the DOJ. You heard
21 our request to the SOS and AG for assistance -- and took
22 notice of the Fulton County election irregularities that
23 had been alleged but not investigated and intervened.
24 The alleged violations apply to state and federal law,
25 and such deviations from the election code deny the

1 equal protection right of voters in the other 158
2 counties in Georgia.

3 On January 28th, with no advance notice to me
4 or the rest of the State Election Board, but apparently
5 known to the Fulton County DRE and other Fulton County
6 officials, the FBI acted independently, served a search
7 warrant, and seized the 2020 election documents and
8 ballots for their investigation.

9 On that day three SEB, State Election Board
10 members helplessly watched from afar as the FBI served
11 its search warrant while scads of county officials
12 rushed past three state election officials into the
13 election warehouse. To do what? Interfere, obstruct.
14 And where are the 50 missing boxes of election
15 documents?

16 The howls and wails of Fulton County
17 elections, Fulton County Commissioners, Fulton County
18 operatives Norm Eisen, Abbe Lowell, Marc Elias, are
19 curious and petulant. After all, these are old election
20 documents that the clerk of the court wanted to destroy
21 a year ago.

22 And now Robb Pitts and Norm Eisen plan to
23 spend millions of dollars of Fulton County -- Fulton
24 County taxpayer money just to claw back from the FBI
25 some ballots you shouldn't even care about, really.

1 And the Fulton County DRE appears to have
2 illegally filed another illegitimate lawsuit, this time
3 against the United States of America, to get the
4 documents that they just told the FBI on January 28th
5 were not their documents. Why? Is this just a campaign
6 tactic to get out the vote? As Shakespeare said, The
7 lady doth protest too much, methink.

8 Suffice it to say, I do not think the State
9 Election Board would have ever gotten the subpoenaed
10 documents or ballots. The State Election Board
11 subpoenas are still active and will not be dismissed. A
12 spoliation letter has been sent to both entities to
13 preserve any subpoenaed documents returned from the FBI
14 for investigation.

15 As far as the State Election Board goes, we
16 hope the questions that have been asked for years may
17 finally be answered, the State Election Board
18 investigation completed, and the lessons learned to
19 prevent another 2020-type election.

20 In the words that the Spanish-American
21 philosopher George Santayana, Those who cannot remember
22 the past are condemned to repeat it. Or as we stated by
23 Winston Churchill, Those who -- those that failed to
24 learn from history are doomed to repeat it. Thank you.

25 Mr. Chair, I do have one bit of business

1 regarding the spoliation letter.

2 CHAIR FERVIER: Is that pertaining to this
3 topic?

4 VICE CHAIR JOHNSTON: Yes.

5 CHAIR FERVIER: Okay.

6 VICE CHAIR JOHNSTON: I would like to motion
7 to ratify the sending of the spoliation letters to Ch
8 Alexandra, Fulton County DRE, and Nadine Williams for
9 the retention of the documents given and when they're
10 returned from the FBI.

11 CHAIR FERVIER: Is that a motion?

12 VICE CHAIR JOHNSTON: That is a motion.

13 CHAIR FERVIER: Dr. Johnston made a motion to
14 ratify the sending of the spoliation letters to Ch
15 Alexandra and Fulton County?

16 VICE CHAIR JOHNSTON: Fulton County.

17 CHAIR FERVIER: Is there a second?

18 MEMBER GRUBBS: Second.

19 CHAIR FERVIER: There's a motion and a second.
20 Any discussion? All those in favor, signify by saying
21 aye.

22 (Ayes were heard.)

23 CHAIR FERVIER: Any opposition? Hearing no
24 opposition, so moved by a vote of three to zero.

25 MR. MILLS: Mr. Chairman, are you going to

1 vote?

2 CHAIR FERVIER: No. The chair is not voting.

3 MR. MILLS: Okay. I just noticed you voted a
4 couple times, several times yesterday and actually made
5 a couple of motions --

6 CHAIR FERVIER: Well, I --

7 MR. MILLS: -- on things, but you don't want
8 to vote on this. I just want to make sure. It's kind
9 of an important measure.

10 CHAIR FERVIER: Well, I voted when a quorum
11 was needed or when there was a case that I felt was so
12 outrageous that it deserved significance. It
13 --typically, this chair does not vote. And you know
14 that. I rarely ever vote on anything unless I
15 specifically want to make a point on a particular case
16 or if it's required because I don't have a quorum
17 available. So that's been my policy, long- standing
18 policy, so.

19 MR. MILLS: Right. But so you said, unless --
20 typically, you don't vote unless there's something
21 outrageous. So you don't feel this is outrageous one
22 way or the other in regards to if the documents come
23 back, when they come back, whether or not this committee
24 should pursue?

25 CHAIR FERVIER: The majority of the board --

1 the board has spoken on this. There's no need -- reason
2 for me to vote on this. I have not opposed it. I have
3 done as I've always done, which is stay silent on almost
4 every issue that's come before this board, so.

5 MR. MILLS: Mr. Chairman, I'm going to have to
6 take issue with that. And the reason I'll take issue
7 with that is because I spoke with -- we've only had two
8 executive directors. I'm one. We had one before me.

9 In researching the Rossi/Moncla case, the
10 former executive director shared with me that he went
11 into the Secretary of State's office during that time
12 period.

13 You then turned to him and you said to him,
14 You can't come in here.

15 He said, What? What do you mean I can't come
16 in here?

17 You can't come in here -- into the Secretary
18 of State's office, your executive director. You then
19 went into the office, according to his testimony. When
20 you came out of the office, you said to him, We're not
21 going to investigate Raffensperger and we're not going
22 to investigate Fulton County and we're not going to deal
23 with the 2020 elections anymore.

24 That executive director then said to you,
25 but -- but Mr. Chairman, you -- you have a committee.

1 I'm telling you we're not going to do it.

2 Now, that's his testimony to me. So don't
3 tell me that you did not obstruct. That is obstruction
4 when you tell your executive director that he cannot
5 come into another government agency. Now, what this
6 board decides to do is the will of the board. But you
7 don't have a right to say that.

8 Now, you have a right to choose as chairman
9 whether you want to vote on any measure. But Mr.
10 Chairman, I think you were entirely wrong to tell that
11 executive director he couldn't come in. What was --
12 what was being discussed so important that your
13 executive director could not follow you into the
14 Secretary of State's office and talk?

15 CHAIR FERVIER: Well, your allegations are
16 false, okay? Your allegations are false because I told
17 him that I did not want him attending that because I
18 wanted to know what I was getting myself into. This was
19 the very beginning of my tenure as chairman here. And I
20 wanted to have a private conversation with the
21 representative of the Secretary of State's office to
22 find exactly what I was getting myself into when I took
23 over this.

24 Because I -- after I took over, I heard
25 multitudes of negative comments about me being

1 associated with this board, okay? I wanted to find out
2 what I was getting into from their standpoint. And that
3 was the sole conversation that took place. That will be
4 confirmed by Ms. McGowan, who's was a part of that
5 conversation.

6 What you stated happened afterwards did not
7 happen. And you won't find anybody that will confirm
8 that that happened because nobody had heard that happen.
9 It did not happen. I did not tell him that. I deny it,
10 and I don't care what you say. Smile all you want to.
11 But it did not happen.

12 MR. MILLS: Well, Mr. Chairman, you have --
13 you know, there's always two sides to every story, and
14 we have to take you at what you're saying today. I also
15 would say that a former executive director, Mike Cohen
16 -- I do not believe for one second that he lied to me.
17 And I believe he probably has recorded testimony
18 somewhere that will probably stand behind that.

19 CHAIR FERVIER: Bring it forward. Bring it
20 forward. There's no recording of that. So bring it
21 forward. I did not tell him that. So you ran for it.

22 MR. MILLS: Well --

23 CHAIR FERVIER: You know, it --

24 MR. MILLS: I -- I'm just saying, look. Let's
25 just get to the truth and let's don't obstruct. That's

1 all we want. And I think that's all this board wants.
2 This whole exercise that the FBI went to a federal
3 magistrate judge with a criminal warrant. They didn't
4 come to the SEB, they went to a federal magistrate
5 judge. The federal magistrate judge looked at the
6 warrant and apparently must have said, There's questions
7 that need to be answered. So they granted the criminal
8 warrant. Now, to criticize anybody in America for
9 asking questions about an election process when there
10 are issues come up, I want you to -- everybody in this
11 room to pause and think about what happened here
12 yesterday.

13 I listened to Fulton County. When I ask --
14 it's been stated that there are hundreds of voters in
15 your voter system that have the year date of 1900. It
16 says they were born in 1900 on Fulton County voter
17 rolls. And Fulton County has made progress in that area
18 by reducing that. And they reported yesterday -- it's
19 all on video. It will all be on court transcript.
20 Think about this. They reported, we've gotten it down
21 to 200-and-something. Are you kidding me?

22 You've gotten it down to 200-and-something
23 people on your voter rolls that were born in 1900. That
24 would be a 126-year-old person. Wow. I just want you
25 to think about the irony of that. And I would say, I

1 congratulate Fulton County for bringing that number
2 down. I hope they'll continue to bring it down to zero
3 unless somebody was really born in 1900, and if they
4 were, I would say this committee ought to bring them
5 before and honor them for being a voter at 126 years
6 old.

7 But I dare say the press will not write one
8 word of what I just said. Instead, they'll say about
9 campaigns, about -- this is not about Republican. It's
10 not about Democrat. It's not about Trump. It's not
11 about Biden. It's not about overturning an election
12 from any previous year. What it is about is election
13 integrity throughout the entire State of Georgia. Not
14 any -- just one county, every county.

15 And you saw that if you were here yesterday.
16 It's not only Fulton. We have other issues that need to
17 be dealt with. And we're dealing with them one at a
18 time. And Mr. Chairman, all due respect -- and I
19 congratulate you for the way we moved through the cases
20 yesterday. You should have been here on December 9th
21 and 10th when we moved through 160 of them. It was a
22 long day then, too.

23 But this board has made tremendous progress,
24 and I want to challenge the press with one great
25 challenge here today. When I came on as executive

1 director, it was being printed in the AJC and all the
2 media that there were 315 cases in backlog with the SEB.
3 As of yesterday, guess what? All of those backlogged
4 cases have now been adjudicated. Since June, since June
5 to now, every one of them. That's an applause for this
6 board. I mean, that is a magnificent accomplishment.
7 And that means we're moving towards getting better. Are
8 we where we need to be? No way. But we're getting
9 better.

10 CHAIR FERVIER: For the record, for those of
11 you that may not know this, this isn't the first time
12 that the executive director has publicly attacked me in
13 public and in private. There are multiple, multiple
14 emails where he has called me a liar. He's called me a
15 liar in public and told people how dishonest I am. So
16 this is nothing new today. I've gotten used to this.

17 The executive -- the former executive director
18 has done the same across the state. This is nothing new
19 to me. You know, they can say what they want to. I'm
20 not going to sit here and try and defend myself on
21 anything. I don't need to. People have known me for
22 decades, know what kind of person I am. People that
23 know me and are friends of mine know what kind of person
24 I am. I don't have anything to prove to anybody. And
25 they can make whatever comments they want to. Let them

1 have it. So.

2 MEMBER KING: Well, Mr. Chair, we can't ignore
3 what we've experienced. So regardless of whether you
4 believe this is unfair or not, I was informed of the
5 exact same story, and I was told that the exact same
6 story that our Executive Director Mills shared. And I
7 said -- that was presented to me in the exact same way,
8 way prior to Executive Director Mills even being
9 considered. Because we had an executive director.

10 So to assume that a person who's sharing their
11 experience, their encounter with several different
12 people in the exact same way, to assume that they're
13 lying and that nothing happened, the entire story is
14 just fabricated, I think is a bit unfair. I think it's
15 bit delusional.

16 We know that there was a conversation.
17 Whether you agree with what was said or not, that's on
18 you. But there was a conversation. And I can only
19 speak to my own personal experiences. I have yet to had
20 a conversation with anybody in the Secretary of State's
21 office after trying to make that happen. You are the
22 only one that communicates with the Secretary of State's
23 office.

24 CHAIR FERVIER: Well, that same individual
25 also accused me of attacking women.

1 MEMBER KING: Well, I don't know about that.
2 I'm not speaking about that.

3 CHAIR FERVIER: Accused me of attacking women.
4 And I took that and showed it to at least 20 women that
5 have known both of us for decades. And they found it
6 just hilarious at that time.

7 MEMBER KING: I'm not talking about that.

8 CHAIR FERVIER: No. But it's -- but it's
9 another -- it's coming out of the same person. And so,
10 you know --

11 MEMBER KING: Well, address -- okay. Well,
12 address the second part of what I said.

13 CHAIR FERVIER: Well, I have had a continuing
14 relationship -- not so much lately with the Secretary of
15 State's office, because as I've explained in previous
16 meetings, I felt it necessary that this board maintain a
17 relationship with the Secretary of State's office.

18 MEMBER KING: This board?

19 CHAIR FERVIER: This board.

20 MEMBER KING: Not you, just you.

21 CHAIR FERVIER: Well --

22 MEMBER KING: The board.

23 CHAIR FERVIER: If --

24 MEMBER KING: The board does not have a
25 relationship. It's obvious.

1 CHAIR FERVIER: If they want to deal with me,
2 then I will choose to deal with them like I choose to
3 deal with anybody else. And so they have -- I have
4 continued having conversations -- not as much lately
5 since this board has objected to it -- with them. I had
6 a lot of conversations prior with them, and I felt it
7 was necessary for us to have a continuing relationship
8 with the Secretary of State's office. I don't apologize
9 for that.

10 MEMBER KING: I just -- I digress. I just
11 want to make it very clear that I don't want to paint a
12 picture as if what Executive Director Mills is sharing
13 is not happening. There has been obstruction. There
14 has been a level of difficulty in barriers put up on
15 this entire board. And the only access point we've ever
16 had was you. So that's a fact.

17 CHAIR FERVIER: You have a right to talk to
18 them as much as I do. If they choose not to talk you --

19 MEMBER KING: They don't talk to me because --

20 CHAIR FERVIER: That's not my decision.

21 MEMBER KING: Well, the response to me is, we
22 can only speak to your chairman.

23 CHAIR FERVIER: That's not my decision.

24 MEMBER KING: Well, you -- well, you're not --
25 you -- you're not -- you're not fighting it, though.

1 You're not defending us.

2 CHAIR FERVIER: Any member of this board can
3 call them anytime they want to or anybody else in this
4 --

5 MEMBER KING: Well, Mr. Chair, it would be
6 great if you did and you told them that they should
7 communicate with us. It would be great if you would
8 defend us as much as you defend them. That's all. Just
9 give us the same energy that you meet them with. Give
10 it to us. That's all we're asking for.

11 CHAIR FERVIER: Well --

12 MEMBER KING: That's all we're asking for.

13 CHAIR FERVIER: You don't see me sitting up
14 here defending them time and time again.

15 MEMBER KING: I don't -- I'm done. I just --
16 I said what I said.

17 CHAIR FERVIER: Okay. Any other comments on
18 this topic?

19 VICE CHAIR JOHNSTON: Well, while we're on the
20 topic, I would mention my unhappy experience with you
21 regarding a lawsuit that involved me personally and the
22 State Election Board and your curious and unusual email
23 that suggested potential for a lawsuit before the
24 lawsuit was even filed that -- concerning an open
25 records request where you communicated with the

1 Plaintiff, the entity that filed the lawsuit, that when
2 I asked for a minimal assistance, like obtaining your
3 emails in regards to my defense of the lawsuit, you
4 refused.

5 You happily call and communicate with
6 Plaintiff's attorneys, but you left me out in cold. And
7 I do not appreciate that. And while -- I guess while
8 we're on the -- on the topic, I would just like to
9 express my disappointment in you.

10 CHAIR FERVIER: Noted. Anything else?

11 MR. MILLS: Yes, sir. For the record, I would
12 like to say that I've served almost 30 years in Georgia
13 State government. I've been honored and blessed in a
14 lot of ways. I chaired committees, I've coached. I --
15 I've been vice chair. I -- I've been secretary of some
16 of the most powerful committees in the Georgia General
17 Assembly, which means nothing. But it means something
18 to what I'm about to say.

19 I've never served with a more honorable female
20 person than Ms. Jan Johnston, the vice chair on this
21 committee. She's one of the most honorable female
22 people I've ever served with. And I -- I've seen the
23 false attacks. I've seen the -- you know, been on the
24 inside of some of this lawsuit. I called the chairman,
25 asked him to please, you know, help a fellow board

1 member out.

2 All you had to do was provide some emails, but
3 you refused to do that. She wasn't trying to hide
4 anything. And we -- we've gone through all that. And,
5 you know, there's always struggles on every committee
6 and every process. That's kind of what makes the world
7 go around. But truth in the end will stand. And I can
8 -- I -- I'm convinced that it will.

9 And I want to say the Vice Chair Jan, Janice
10 Johnston, you should have -- in my opinion you should
11 have never had to go through that ordeal like you did.
12 And I've said this to the AG's office. They should have
13 been right there at your side. And I don't know how all
14 that decision process went down, but I do know we have
15 further in the agenda about officers and director's
16 insurance, and we'll talk about that when we get there.

17 CHAIR FERVIER: Let me just say pertaining to
18 the emails that my emails from day one have been
19 accessible. They've had my access to those emails
20 continuously from the previous email, Gmail address to
21 the current email address. They've always had the
22 password to them. And I've been open with the emails
23 from day one of being on this board, so.

24 MR. MILLS: So did you share them with Vice
25 Chair Jan when asked?

1 CHAIR FERVIER: What -- which emails are you
2 talking about? I don't think I have any emails with
3 American Oversight or whoever --

4 MEMBER KING: Just say no.

5 CHAIR FERVIER: I don't -- I don't even know
6 what -- show me the question that was asking -- my
7 responsive.

8 MEMBER KING: Just say you didn't do it, and
9 we can move on. We already know. This is getting drawn
10 out for no reason.

11 CHAIR FERVIER: What? I'm not drawing it out.

12 MEMBER KING: Well, you -- we already know you
13 didn't do it.

14 CHAIR FERVIER: Okay.

15 MEMBER KING: So, you know. All right.

16 MEMBER GRUBBS: Mr. Chairman?

17 CHAIR FERVIER: Yes.

18 MEMBER GRUBBS: May I say something, briefly?

19 CHAIR FERVIER: Oh, I hope so. Please.

20 MEMBER GRUBBS: I have limited perspective
21 being on the board, since this is my second meeting.
22 And what I'm going to say is, I have a little different
23 experience -- not looking at partisanship, but in my
24 experience serving in the Republican Party in a
25 committee structure where I was the chairman for four

1 years in Cobb County.

2 And in that experience, in that environment,
3 you have one another's backs. And that goes for all the
4 members. Like I said, you might have agreements,
5 disagreements, but you have each other -- each other's
6 backs.

7 And politics is very interesting because you
8 see things happen for political purposes that don't
9 serve the people. And my interest in serving on this
10 board is to serve the people of Georgia, not the
11 Republicans in Georgia, not the Democrats in Georgia,
12 not the independents in Georgia, not the, you know, XYZ
13 party in Georgia, but to serve the people of Georgia in
14 honesty and truth.

15 And what I expect going forward with this
16 board is that we have each other's backs, that we serve
17 one another, and that we are honest, that we are open,
18 and that we are defensive of this board. Because the
19 way I see it is this board has a tremendous duty and
20 obligation to the people of Georgia aside from political
21 agendas of the Attorney General's office, of the
22 Secretary of State's office, of the governor's office,
23 of the legislature. This is a body created by the
24 legislature, and it gives a broad approach of serving
25 the people of Georgia.

1 And so whatever issues we have, I expect us to
2 operate in sunlight, daylight, truth, honesty, and --
3 going forward -- and to be there for one another. And I
4 expect that of every member of this board and every
5 employee of the State Election Board.

6 CHAIR FERVIER: Any other comments on this
7 topic? Well, let's move on to the next subject, update
8 on SEB email rec of Member King.

9 MEMBER KING: I didn't add this to the agenda.

10 CHAIR FERVIER: If you want to --

11 MEMBER KING: But --

12 CHAIR FERVIER: Do you want to have an
13 opportunity to --

14 MEMBER KING: I just want to know, have you
15 gotten the emails.

16 CHAIR FERVIER: Well.

17 MEMBER KING: Yeah.

18 CHAIR FERVIER: Well, you had asked the
19 question about the -- okay. It -- the next item is the
20 Update on Missing --

21 MEMBER GRUBBS: Wait. Excuse me.

22 CHAIR FERVIER: -- Email Records of Addison,
23 Sheila, Member Mashburn.

24 MEMBER GRUBBS: Mr. Chairman, have we received
25 that information?

1 CHAIR FERVIER: After the last board meeting,
2 I asked them to add Addison and Sheila. And I was told
3 that that request was made of their IT people. And I
4 haven't done anything since then. Member Mashburn, the
5 Secretary of State does not have Member Mashburn's email
6 addresses or it doesn't have his emails because he did
7 not have a state email address. And so those would have
8 be obtained separately from Member Mashburn, who -- I
9 think I've talked to him two or three times, ever. He's
10 not a acquaintance of mine, so he'll need to be reached
11 out to.

12 I did talk to him once after the email
13 question came up and he said he'd be willing to download
14 them and provide them if needed. So that was my only
15 conversation with Member Mashburn about it, so.

16 MEMBER GRUBBS: And you're --

17 CHAIR FERVIER: And the -- Addison and Shiela
18 were both temporary employees and my understanding is
19 that their emails would be very limited, but they -- the
20 Secretary of State was willing to provide them, so.

21 MEMBER GRUBBS: Whether or not -- also, what
22 is the status -- and this was before me, so please
23 forgive me for asking if it's already been resolved --
24 but the text -- the text of Alexandra Hardin and the
25 emails of Ms. Hardin and all of that.

1 CHAIR FERVIER: Her emails were provided. My
2 understanding is that when her government- issued phone
3 was turned in, that it was -- I was told that it was
4 wiped. I don't -- I don't know.

5 MEMBER GRUBBS: Have we seen any evidence of
6 that?

7 CHAIR FERVIER: I have not.

8 VICE CHAIR JOHNSTON: So that's a destruction
9 of an -- of a document?

10 CHAIR FERVIER: I -- all -- that's all I was
11 told. I don't know anything factual behind that or
12 anything besides that, so.

13 MEMBER GRUBBS: So the -- herein is part of
14 the problem, again, with the communication with the
15 Secretary of State's office -- is that now Ms. Hardin
16 works for Secretary of State Ron Raffensperger. And we
17 have a lack of emails. We have a lack of text messages.
18 We have a lack of information.

19 And something very interesting is that I was
20 going through a deposition, actually, of the former
21 Elections Director for the state, Mr. Chris Harvey. And
22 in that deposition, he testifies to the fact that he
23 told everyone in the SOS's office to preserve records
24 and how -- what a beefy IT department they had. And
25 everyone had sections on their servers where they

1 maintained information -- and not to destroy anything
2 when the 2020 election information came up.

3 So I would think that -- and he repeats in
4 there numerous times in that deposition -- it's
5 somewhere around page -- I don't know -- between pages
6 30 and 40 of his deposition, actually, in the Curling v
7 Raffensperger case that he reiterated numerous times for
8 people not to delete information.

9 So since we can't communicate with the
10 Secretary of State's office, and since we're not getting
11 the information from Mr. Mashburn, I'm thinking that
12 perhaps a subpoena would be in order to the Secretary of
13 State's office for this information, along with a
14 subpoena to Mr. Mashburn, along with a subpoena for the
15 cell phone, if Ms. Alexandra Hardin.

16 CHAIR FERVIER: Well, Member Mashburn or
17 former Member Mashburn said he's willing to provide the
18 emails. I think somebody just needs to reach out to him
19 and arrange that to occur at this point, so.

20 MEMBER GRUBBS: A subpoena's a reach out.

21 CHAIR FERVIER: Well, I mean, you can subpoena
22 him if you want to, but he hasn't -- he agrees that
23 those emails are the property of this board and he is
24 going to provide them. He told me in a conversation,
25 so.

1 MEMBER GRUBBS: Well, our email addresses are
2 right on the website. If he wants to reach out and send
3 them to us, he could do that. But again, I think, you
4 know, on this issue, I don't know.

5 Do any of the other members have any feeling
6 one way or the other on obtaining this information?

7 VICE CHAIR JOHNSTON: I very much have some
8 feeling. Alexandra Hardin was our sole employee for a
9 -- for quite a number of months. And her emails and
10 text messages were critical -- and particularly in the
11 lawsuit against the State Election Board and me
12 individually -- in which I was found to have not
13 violated the Open Records Act, that the -- that one of
14 our staff members did violate the Open Records Act.

15 However, her text message and emails are
16 important and continue to be important when we receive
17 open records requests. I certainly hope someone in the
18 Secretary of State's office has not destroyed that
19 document, her cell phone, and those text messages.

20 MEMBER GRUBBS: Would -- and to date, just to
21 be clear, we've not received any of that information.

22 MEMBER KING: We have her emails.

23 MEMBER GRUBBS: We have her emails. Okay. I
24 don't have her emails, but y'all have her emails.

25 MEMBER KING: They gave them -- provided them.

1 MEMBER GRUBBS: Okay. Well, do you feel it
2 necessary to issue a subpoena for the cell phone and
3 cell phone records?

4 VICE CHAIR JOHNSTON: If that's the only way
5 that we may obtain those, then that is what we should
6 do.

7 MEMBER GRUBBS: All right. Then I make a
8 motion that we issue a subpoena to Ms. Hardin to appear
9 at the next SEB meeting and for the Secretary of State
10 to produce her cell phone, cell phone records, and text
11 message records.

12 CHAIR FERVIER: Ms. Hardin no longer is in
13 possession of the cell phone.

14 MEMBER GRUBBS: We won't know that unless she
15 comes in and tells us that.

16 CHAIR FERVIER: Okay.

17 MEMBER GRUBBS: And to me, it's just rumor
18 until we actually get to the heart of the matter.

19 MEMBER KING: Did she hand it over to you?

20 CHAIR FERVIER: No. My understanding was when
21 she left the board, she turned it in to the Secretary of
22 State's office.

23 MEMBER KING: Okay.

24 CHAIR FERVIER: Because it was a
25 government-issued cell phone relating to SEB, so she

1 turned it back in.

2 MEMBER KING: And she got a new phone after
3 she -- working for them?

4 CHAIR FERVIER: I don't know. I don't know.
5 I don't know.

6 MEMBER GRUBBS: But why would it go to the --
7 I'm confused as to why it would go to the Secretary of
8 State and not come to us.

9 CHAIR FERVIER: Because it was issued by them.

10 MEMBER GRUBBS: But she worked for the SEB at
11 the time.

12 CHAIR FERVIER: I don't know the answer to
13 that.

14 MEMBER GRUBBS: Well, let's just clear it up.
15 And so I make said motion.

16 MR. MILLS: He -- if I may, Ms. Grubbs, here's
17 an important fact that I think needs to be made. While
18 devices are handed out maybe by certain agencies -- and
19 if it was given to her by the Secretary of State's
20 office, then that they have a right to, of course,
21 retain it back. What they don't have a right to do is
22 to delete records that were on that device that were
23 property of the State Election Board. And that would be
24 a point that I think everybody here needs to consider
25 and think about, that that was property of the State

1 Election Board. And as the chairman has now said on two
2 or three occasions -- that that was deleted. There
3 needs to be an explanation for that.

4 MEMBER KING: Do we have a motion on the
5 table? I --

6 CHAIR FERVIER: No. I'm sorry. No. Would
7 you restate your motion, please?

8 MEMBER GRUBBS: My motion is to issue a
9 subpoena to Alexandra Hardin and to issue a subpoena for
10 the cell phone and cell phone records and text messages
11 that she utilized while she was serving on the State
12 Election Board -- to appear at the next meeting to
13 answer whether or not that phone was wiped and what has
14 happened to the data and the information from the phone.

15 CHAIR FERVIER: There's a motion. Is there a
16 second?

17 MEMBER KING: Second.

18 CHAIR FERVIER: We have a motion and a second.
19 Any discussion. Hearing no discussion, all those in
20 favor, signify by saying aye.

21 (Ayes were heard.)

22 CHAIR FERVIER: Any opposition? Hearing no
23 opposition, so moved by a vote of three to zero. Any
24 further comments on this topic? Next item on the agenda
25 is an Update on SOS Publication of SEB-Adopted Rules

1 from 2024. I don't know who put that on there, but.

2 VICE CHAIR JOHNSTON: I suspect I put that on
3 there to follow up on the responsibility of the
4 Secretary of State to publish adopted State Election
5 Board rules.

6 Director Mills, do you have any information or
7 -- I have not received any communications from the
8 Secretary of State about the publication or
9 certification of those adopted rules.

10 MR. MILLS: I haven't. I have not heard any
11 word from that.

12 CHAIR FERVIER: You might the email. Because
13 I thought that I saw some emails pertaining to that from
14 Charlene McGowan. But you might search and see.

15 MR. MILLS: Well, which -- to be clear, which
16 rules are we talking about?

17 CHAIR FERVIER: The rules from 2024 that were
18 adopted.

19 MEMBER GRUBBS: I believe that includes Rick
20 Jeffares' rule that he proposed as well as --

21 CHAIR FERVIER: A couple of Mr. Favorito's,
22 maybe.

23 MEMBER GRUBBS: And Ms. Adams's role on
24 observation.

25 VICE CHAIR JOHNSTON: Seven of 11 rules were

1 adopted, some outright, but the -- there were some that
2 were in question that ended up going to the Georgia --
3 to Georgia Supreme Court. And I believe several of
4 those did meet in the hurdle, new hurdles required by
5 the Georgia Supreme Court.

6 CHAIR FERVIER: There weren't seven of 11
7 adopted, were there?

8 VICE CHAIR JOHNSTON: There were some
9 initially adopted that were not contested in court.

10 CHAIR FERVIER: Three, I think. Something --
11 yeah. Okay. Yeah. Three or four, right?

12 VICE CHAIR JOHNSTON: Three or four. And then
13 the remaining were held up in litigation, Eternal
14 Vigilance action lawsuit. And the Supreme Court said --
15 confirmed that several of those did meet the hurdles.
16 And --

17 CHAIR FERVIER: And I thought that one
18 concerning monitoring the ballot boxes was allowed and
19 then two more were sent back to a lower court for
20 standing issues or --

21 VICE CHAIR JOHNSTON: I don't think so.

22 CHAIR FERVIER: Okay. We can -- we can
23 research it and figure it out exactly, so.

24 VICE CHAIR JOHNSTON: Right.

25 MEMBER GRUBBS: What's the normal amount of

1 time to get them to post information on the website?

2 MEMBER KING: I mean, we should be almost a
3 week. I don't know. How long has been taking?

4 CHAIR FERVIER: I don't know about --

5 MEMBER GRUBBS: I think that results in some
6 confusion like, we -- like, going on right now.

7 VICE CHAIR JOHNSTON: To post on our website?

8 CHAIR FERVIER: For the rules.

9 VICE CHAIR JOHNSTON: Oh, for the rules?

10 MEMBER GRUBBS: The rules.

11 CHAIR FERVIER: Yeah.

12 VICE CHAIR JOHNSTON: They're published in the
13 Georgia Bulletin of Rules and Regulations. And so
14 there's a certain cycle where they're added and -- but
15 first they -- they're certified by the Secretary of
16 State's office, so we should get a certified copy of an
17 adopted rule first. But -- and then they submit it into
18 the publication for everybody to be able to see and
19 check on.

20 CHAIR FERVIER: Okay. Next item on the agenda
21 is Update From -- update Member Grubbs's Request for
22 Firefly access, GARVIS access.

23 Member Grubbs?

24 MEMBER GRUBBS: Yeah. So just to refresh
25 everyone's memory, I had requested -- and this was

1 before I was on the board. I did not think it was
2 actually appropriate that some members on the board were
3 given access to Firefly and some were not -- and
4 advocated because this is a communication tool used by
5 the Secretary of State to the counties on election
6 bulletins and, you know, processes and things that --
7 that the board should be aware of what the Secretary of
8 State is actually communicating to the counties. And so
9 there's been emails going back and forth about us having
10 access, and I was told, first of all, that it was an IT
11 issue that we could not be given access.

12 And then secondly, actually, this morning, I
13 do have a response from Ms. Charlene McGowan, the
14 counsel for the Secretary of State's office. And yet it
15 says, I've discussed your multiple demands for
16 unrestricted access. I never said unrestricted access,
17 number one -- that it's the Secretary of State's
18 confidential and secure system with senior agency
19 leadership, and their position is unchanged that we
20 can't have access.

21 In her email, she says, With respect to
22 Firefly, one of the purposes is to allow our dedicated
23 county election workers a space where they can freely
24 exchange information. As former and current board
25 members have expressed, there is a concern there would

1 be a chilling effect on the county's ability to engage
2 in those discussions. If what you're seeking is access
3 to the SOS Elections Division, training materials --
4 blah, blah, blah.

5 So one of the things is that I believe GAVREO
6 has access to Firefly. And GAVREO is a non-
7 governmental organization -- association of Election
8 Board members, and I'm confused as to why, when we are
9 given the charge by the state legislature to investigate
10 and to make rules and regulations and things like that,
11 why we aren't allowed to see what the Secretary of
12 State's office is communicating to the counties.

13 And I think a prime example of an issue with
14 that is yesterday. When there are issues and the
15 counties communicate with the Secretary of State's
16 office and the Secretary of State's office tells them to
17 do XYZ -- we saw that issue in Chatham County, in fact.

18 I'm not saying that I want to get in there and
19 communicate with people. I just think that we need to
20 be -- because we are the State Election Board, the word
21 election is actually in the title of our board -- that
22 we should be privy to the information that the Secretary
23 of State's office and an external organization like
24 GAVREO or anyone else -- what they are communicating to
25 the counties. Because as I asked yesterday is. do the

1 -- do the county election workers verify that they're
2 actually getting the legal information from the Georgia
3 code to verify that what they're being told from the
4 Secretary of State's office is accurate?

5 And the answer is pretty much no. They are
6 just taking what the Secretary of State's office says
7 for granted when there are issues. This would help us
8 understand the process better and it would help us also
9 provide accountability with the Secretary of State's
10 office and what they're telling the counties.

11 Because yes, these county workers and these
12 administrators of elections are working hard, and
13 they're taking for granted everything that they're told
14 from the Secretary of State's office is the God's honest
15 truth. And we provide oversight for that. And to me,
16 it's a huge red flag that an outside entity has access
17 to this information and can put out information and we
18 have no vehicle to do that.

19 Maybe we would like to conduct some education
20 of our own. Maybe we would like to encourage voter
21 engagement. Maybe we would like to put out notices.
22 And how are we to do that when they have a vehicle to do
23 it and we don't?

24 Now, I'm also told that Firefly is going away
25 and they're doing a new system that may be done in

1 conjunction with GAVREO. I don't know, but it is fully
2 unfair. I'm offended that -- I demanded unrestricted
3 access. I haven't demanded unrestricted access. What
4 I've asked is for read- only access to GARVIS -- GARVIS,
5 whichever, and have been denied that as well. Board
6 members are always welcome to request publicly-available
7 voter registration information through the SOS's web
8 portal.

9 Yesterday, we just heard that we should go to
10 My Voter page. Well, guess what? You have to have a
11 date of birth. Well, guess what? We have incorrect
12 date of births in voter registration information. And
13 it's all clear as mud. It is all clear as mud. And so
14 when we are tasked with duties with both hands tied
15 behind our back, I'm offended. And that's what I have
16 to say about that.

17 MR. MILLS: More obstruction. Just more
18 obstruction. It is an important point, I think, to make
19 that this agency had asked the Secretary of State
20 through Charlene McGowan for our investigators -- we
21 have two investigators in the State Election Board -- to
22 have sight-only vision of GARVIS. We were denied.

23 MEMBER KING: How do we -- so right now,
24 basically, what's being said is that we don't have the
25 ability to communicate with all election officials

1 directly. We have to go through each individual website
2 for every county to get full emails if we would like to
3 have an email list. That's basically what we're being
4 told from the Secretary of State's office. The State
5 Election Board cannot communicate with the election
6 officials. For what reason? Why would they obstruct
7 that? That makes no sense.

8 At this point, we have crossed the line, and
9 we are at a point of no return. I don't understand. A
10 chilling effect to oversight? We don't want people to
11 feel nervous that there are folks in there that can
12 provide oversight. We want -- we want people to feel
13 more relaxed and not have oversight? And that -- when
14 we're talking about our elections? Are these people
15 insane?

16 VICE CHAIR JOHNSTON: No. Yeah. Operations.

17 MEMBER KING: Yeah. We'll keep fighting it.

18 CHAIR FERVIER: Any further comments on that
19 topic?

20 MEMBER GRUBBS: Mr. Chairman, I would like to
21 also say that since -- you know, like Member King said,
22 we would have to go through and -- because I asked for a
23 directory of contacts when I came on the board, and I
24 don't have a directory of election officials or anything
25 like that.

1 You know, at a happenstance meeting in the
2 hallway when we went -- you know, went to attend the
3 Blue Ribbon Committee presentation that didn't happen --
4 and I met some county officials there and that kind of
5 thing. But I understand that there are events that
6 happen with the local county officials.

7 And to clear up any cloud that, like, we're
8 after somebody or that we want to interfere or obstruct
9 with -- you know, just like when Dr. Johnston, me,
10 Member Ghazal went to Fulton County and I asked for
11 access just to observe. And we were denied when other
12 people that had absolutely zero to do with elections
13 were let in. And we were kept out in the hallway, and
14 then we were remanded to the out of doors all day, where
15 we sat in our cars to observe the FBI investigation and
16 were not allowed in.

17 You know, to be excluded all the time -- you
18 know, if I was any lesser of a person, it might hurt my
19 feelings a little bit. But being on the State Election
20 Board with the word election in it, we would like to
21 communicate with our election directors. And I
22 understand that there are regional meetings and thing
23 like that that -- you know, I guess there's a
24 notification of those meetings.

25 I don't know, because I've not been invited.

1 Don't know who's hosting those. Is the SOS's office
2 hosting those? And if there's a notification of that
3 kind of stuff, who does it go to? Because I feel, like
4 I'm just not invited to the party, and I just feel a
5 little sad about that because I would like to meet all
6 of our directors.

7 VICE CHAIR JOHNSTON: Well, just for the
8 record, as far as Firefly and access to Firefly, there
9 was a member of the board that did have access to
10 Firefly with no opposition. And as soon as I became
11 aware of that, I thought, what a great idea. I would
12 like access, too. And all of a sudden, the roadblocks
13 go up and the wall goes up. Well, no, no, no, you can't
14 do that. You might intimidate somebody and you might
15 see what we're saying. I don't know what the -- you
16 know, what the real reason is.

17 But the Democrat appointee to this board had
18 had access to Firefly from the beginning. So the board
19 decided, well, it's either everyone or no one. And of
20 course, you know, the vote was that no one on the board
21 would have access. But that board member continued to
22 have access to Firefly until I raised the question
23 several months later. And then finally, I believe,
24 she's been removed, although I'm not real sure.

25 But I don't think that board member has access

1 at this time. And I have repeatedly also asked for
2 access and have been met with the same excuses that you
3 have been met with, Member Grubbs.

4 CHAIR FERVIER: Any further comments? The
5 chair would ask for a five-minute comfort break at this
6 time.

7 MEMBER KING: So --

8 VICE CHAIR JOHNSTON: Second.

9 CHAIR FERVIER: Second. All in favor, signify
10 by saying aye.

11 (Ayes were heard.)

12 CHAIR FERVIER: Okay. We'll take a -- about
13 approximately five-minute comfort break. Thank you.

14 (A recess was taken.)

15 CHAIR FERVIER: This session is back in order.
16 Next on the agenda is a directors' and officers'
17 insurance policy. Who placed that on the agenda?

18 MEMBER GRUBBS: It was carried over, I think.

19 CHAIR FERVIER: It is carried over.

20 VICE CHAIR JOHNSTON: I initially had
21 discussed this, and the board was in agreement with
22 purchasing directors' -- D&O insurance, directors' and
23 officers' insurance. And perhaps Director Mills can
24 give us an update or --

25 MR. MILLS: I can -- I can give you an update.

1 The application process is quite extensive. One of the
2 things that it requires at -- is I'll have to get the
3 past budget signed off by probably the chairman and the
4 vice chair or whoever the committee so decides so that
5 if I submit or go with -- and -- a bid from someone,
6 they're going to want that there. Of course, they're
7 trying to protect themselves. They want to know what
8 the risk damage could be. But I think it's a wise thing
9 to pursue given what this board has been through in the
10 past.

11 VICE CHAIR JOHNSTON: Right. Thank you.
12 Well, if you will proceed with that if our budget
13 allows, then we should move forward with that.

14 CHAIR FERVIER: Do we have any quotes yet?

15 MR. MILLS: No. As I stated just now, you
16 can't get the quote until you turn the budget in. And
17 I've got to do that. I'm going to have to get whoever
18 this board decides to let -- I would recommend at least
19 two people signing off on it, so those two board members
20 -- I -- it doesn't matter to me who it is --

21 CHAIR FERVIER: Any further questions on that?
22 Next item is Discussion of Staff Attorney. I believe
23 that's a carryover, too.

24 MEMBER GRUBBS: Uh-huh. Yeah. Old business.
25 I just feel like we need -- we need a staff attorney.

1 I'm not talking about somebody -- I mean, clearly it's
2 kind of funny because every election board meeting for
3 other counties that I see, you know, other agencies have
4 an attorney on staff to advise them. And this is my
5 second meeting, and we still don't have an attorney in
6 the room who can -- we can ask for counsel and that kind
7 of thing. I don't know if the budget allows it, but I
8 think that I'm just going to reiterate my opinion that
9 we do need to have a staff attorney.

10 VICE CHAIR JOHNSTON: Well, I agree, Member
11 Grubbs, not only for our meetings, for questions that
12 may come up during the meetings. But also for open
13 records request. You may not know it, but we did a few
14 open records requests, and oftentimes, legal questions
15 need to be asked and answered about specific --
16 specifics for the -- some are quite voluminous in
17 detail, and some are quite vague and need to be
18 clarified.

19 But -- and some are now reaching into social
20 media platforms I've never even heard of. But it's
21 getting quite invasive. You know, if it's SEB business,
22 it's SEB business, and we're happy to provide those
23 documents for people that would like to obtain documents
24 regarding the business of the State Election Board.
25 That's part of our duty.

1 But yes, I think the staff attorney would be
2 welcome, just perhaps to just contract with someone.
3 But it had -- we have to work that out with the powers
4 that be.

5 MEMBER KING: Can I add my support to this?
6 Because I think we have a conflict issue. We had --the
7 Attorney General's office is trapped between
8 representing the Secretary of State's office and the
9 State Election Board. And the State Election Board is
10 supposed to be a separate entity that provides oversight
11 over the Secretary of State's office, according to the
12 recent laws that have passed.

13 Then I do think that we should have our own
14 attorney that is not tracked between the two in case
15 something comes up. There has been cases, as a matter
16 of fact, where counties have come before us. And what
17 they said was that some of the challenges that they were
18 experiencing was at the hands of the Secretary of
19 State's office. And when we reach out to the Attorney
20 General's office for legal guidance on how to handle
21 that, they are now in a position where they're defending
22 the SOS as well as trying to help us. And we end up
23 getting nothing.

24 So if we are beyond the point of needing our
25 own attorney that is its own entity, a standalone that

1 does not represent other agencies in case we find
2 ourselves in that situation. And which we have. There
3 was a time we were assigned conflict counsel, and we
4 were provided attorneys that we had never met before.
5 We didn't know them. I believe they may be -- been out
6 of state. And to be quite frank with you, I questioned
7 how much they understood the case at hand.

8 So we -- and we didn't have any input on who
9 our attorney would be. So, you know, when I am being
10 served in my driveway of a -- on a lawsuit and I don't
11 know who's representing me, or you have clear confidence
12 in them, that's a problem. So yeah. I absolutely
13 believe we are just beyond the point where we need our
14 own attorney. And we -- I'm definitely willing to
15 support this motion.

16 MEMBER GRUBBS: So yeah. It was confusing
17 coming on the board, you know, having, you know, Ms.
18 Young here with us. And she's nice. She's been
19 responsive when I've asked questions. However, then I
20 was watching another hearing, a court hearing, and then
21 Ms. Young is representing the Secretary of State's
22 office. And I'm like, but I thought Charlene McGowan
23 was the Secretary of State's counsel. And it's all --
24 it's -- if it's confusing to me, I can't imagine how
25 confusing it is to the public as well.

1 I know it comes down to a budgetary issue, an
2 item. So we'll have to rely on you, Director Mills, to
3 let us know when we have enough money in the bank to
4 hire a staff attorney. Perhaps we can do that on a
5 contract basis, in a case by case basis. But I would
6 like to see us do that.

7 And then I would also like to continue appeal
8 to the legislature to be sure that we are fully funded
9 to be able to do that. Because it is -- it is not good
10 to have us, you know, out there unrepresented or worse,
11 represented by attorneys that have a conflict.

12 CHAIR FERVIER: Any further comments? Next
13 item on the agenda is a Discussion of Conflict Counsel.

14 MEMBER GRUBBS: Well, that kind of rolls into
15 the same thing.

16 CHAIR FERVIER: Uh-huh.

17 MEMBER GRUBBS: Having conflict counsel to
18 represent us -- when I -- when I talk about a staff
19 attorney, someone we can go to, like, with the issue of
20 open records requests and things of that nature separate
21 and apart for having conflict counsel. It's just --
22 it's something that we need to keep on the radar, I
23 believe.

24 MEMBER KING: I think the next item is also --

25 CHAIR FERVIER: My understanding on conflict

1 counsel -- and I am willing to admit I'm wrong, but this
2 is what I've been told -- is that if the Attorney
3 General has a conflict in representing this board, that
4 they may go the governor and the governor would appoint
5 any conflict counsel that could represent this board.
6 That's been my understanding of how that works, so.

7 MEMBER KING: Yeah. I would like to see if
8 there's another way to go about that by allowing us to
9 pick our counsel. With all due respect to our
10 leadership, no -- none of them have been here. So I
11 would like us to be a part of the process when it comes
12 to deciding who's going to represent us when it comes to
13 legal matters, particularly if our name is on the -- on
14 the line.

15 VICE CHAIR JOHNSTON: Agree.

16 MEMBER GRUBBS: And the decision to provide
17 that conflict counsel, if the Attorney General declines,
18 is optional from the governor's office. So it's not
19 guaranteed that conflict counsel will be appointed.

20 MEMBER KING: Well, then we'd be represented,
21 period.

22 CHAIR FERVIER: Any further comments? Next
23 item is Communication Protocols.

24 MEMBER GRUBBS: So I brought this issue up --
25 surprise -- because of the attention of -- for example,

1 the Fulton County investigation. And, you know, people
2 want us to speak. They want us to hear things. And I
3 do believe in a unified front from the board when it --
4 when it is possible.

5 Also, when it comes to general submissions
6 that come to the general SEB email address, I'm not
7 clear on who's responding, if we all individually
8 respond. Kind of -- because I want to be sure the
9 public is served with a response. I don't want to see
10 people submitting comments.

11 Now, some of the people that submit comments,
12 I don't think they deserve a response because some of
13 them are not very nice sometimes. But I do feel like we
14 have an obligation to acknowledge emails. So I just
15 want to be clear on who's responding. Is it just a free
16 for all and people who want to respond can or is there
17 -- is there a communication protocol that I'm not aware
18 of?

19 CHAIR FERVIER: Well, I -- when I am addressed
20 individually in an email, I try to respond myself. So
21 if it's sent directly to me or -- then I will try to
22 respond. Otherwise, I -- in most cases, I would depend
23 on the executive director or whoever else it -- suggest
24 to respond to emails. Occasionally, I'll respond to
25 something that's just kind of easy. But typically, I'll

1 only respond to emails that just directly to me for I'm
2 the primary person being contact.

3 MEMBER KING: Yeah. I would say that for me,
4 if there's a question that's directly asked to me, then
5 I will respond. If you are just providing me with
6 information, then I may not. I may just leave it, and I
7 got the information. My reason for that is because we
8 get so many open records requests and we will not have
9 time to do our job if I was pulling emails over and over
10 and over again, particularly emails that it's just me
11 saying, Okay, or, I understand.

12 It's just -- becomes a waste of time. It
13 starts to feel like we're being a bit harassed through
14 all these open records requests. So I try to limit
15 that. I do have a lot of phone calls more so than
16 emails, but I agree with you. I do think that if there
17 was a way that we could ensure that we respond to every
18 single email that comes in, I think we should do it.
19 But right now, it's just kind of been a free for all.

20 CHAIR FERVIER: Any further comments? The
21 next item on the agenda is Court Administrators, Judges,
22 Clerk's Responsibilities Under OCGA 21-2-231, notifying
23 process from the SOS to judges when they're removing
24 individuals from the voting roll who claim they're
25 non-citizens.

1 Was that you, Member Grubbs? Okay.

2 MEMBER GRUBBS: Surprise. Yes. And this has
3 actually come up. It came up yesterday. Especially
4 when you have non-citizens who are -- because they
5 registered to vote, whether they did it or whether they
6 were registered, whether it was the DDS situation, this
7 has to do with court administrators and judges who then
8 have people that are contacted for jury duty.

9 And it's all good. We can be registered to
10 vote, but God, we don't want to do jury duty, so we're
11 going to finally admit we're not a citizen. And so I
12 wanted a way to remind -- you know, there are new judges
13 all the time. And yes, it's in the code and they should
14 be aware of it.

15 But this, again, is where communication
16 protocol on being able to communicate with counties
17 would be important, because we'd like to be able to just
18 put out a bulletin and say, Hey, you know, just as a
19 reminder, you judges, you have an obligation to
20 communicate that information. And, you know, reminder
21 to the election directors, Hey, you might want to reach
22 out to judges in your county and make sure that they're
23 aware of this provision.

24 But again, we -- you know, we are hamstrung
25 with that unless, you know, we have a broader range of

1 information. So just kind of wanted to bring it up for
2 information and be sure that these judges are notified
3 about that and these court administrators are not
4 notified. That's all I got.

5 CHAIR FERVIER: Thank you. Next item on the
6 agenda is Swearing In of the Respondents.

7 I believe that yours also.

8 MEMBER GRUBBS: Yeah. That was old business.
9 I just wanted to be sure there was -- you know, when we
10 have people come from -- for public comment and when we
11 have people making presentations, you would hope and
12 believe that people would always be truthful and honest.
13 I was always baffled by the fact that there was no
14 swearing in of people when they were doing presentations
15 or doing public comments.

16 But there's actually a code section that deals
17 with that. And I just want to be sure that that notice
18 is put on our -- in our public comment portions of the
19 agenda and when people sign up for public comment, just
20 to be sure that there's another level of accountability.

21 CHAIR FERVIER: You want swearing in of -- I
22 mean, you --

23 MEMBER GRUBBS: The notice -- I'm sorry. The
24 notice in the code section is that if you are coming
25 before a board, that you have an obligation to tell the

1 truth. And I would just like that code section just put
2 on as a reminder. Okay. Reminder. Tell the truth.

3 CHAIR FERVIER: All right. And it's not
4 necessarily relative to people making public comments,
5 though. There are a lot of comments that are made that
6 one can question whether they're accurate or not. But
7 -- and I would -- I would agree on the rest of the
8 agenda. If a official is coming here to testify or
9 somebody testify or speak before this board. But the
10 public comment section itself is -- to me, is a first
11 amendment right. And people are allowed to say what
12 they want to say. Any further comments on that?

13 MEMBER GRUBBS: I was just going to say that
14 the code section says -- it's OCGA 16-10-20 -- A person
15 who knowingly and willfully falsifies, conceals, or
16 covers up by any trick, scheme or device a material
17 fact, makes a false, fictitious, or fraudulent statement
18 or representation or makes or uses any false writing or
19 document known the same to contain any false,
20 fictitious, or fraudulent statement or entry in any
21 manner within the jurisdiction of any department or
22 agency of state government or of the government of any
23 county, city, or other political subdivision of this
24 state shall upon conviction thereof be punished by a
25 fine of not more than \$1,000 or by imprisonment for not

1 less than one, not more than five years, or both.

2 So that's actually a code section. And I
3 would just ask that this code section be put, you know,
4 on our notice in some way that -- and this should go for
5 any agency in the state.

6 CHAIR FERVIER: Yeah. I don't -- I don't
7 disagree with you on that. I'm just saying that the
8 people come in at the end and make public comments as --
9 to me, that --

10 MEMBER GRUBBS: Yeah. I understand. And I
11 agree. Free speech is extremely important.

12 CHAIR FERVIER: Yeah. Yeah. Yep. Yeah.

13 So next item on the agenda is Ballot
14 Duplication. I'm not sure who put that one on there.

15 VICE CHAIR JOHNSTON: No. Not me.

16 MEMBER GRUBBS: This is an old thing of
17 discussion. This was about duplicating by hand or by
18 BMD.

19 VICE CHAIR JOHNSTON: Right.

20 MEMBER GRUBBS: That's what that was.

21 CHAIR FERVIER: If there's no further comments
22 on that, the next item on the agenda is Legislative
23 Agenda. I believe that was the carryover from the last
24 meeting also.

25 MEMBER GRUBBS: That was carry over. Yep.

1 And I was asking if we had a legislative agenda.

2 CHAIR FERVIER: I thought that we had
3 addressed that previously.

4 MEMBER GRUBBS: Yeah. Yeah.

5 VICE CHAIR JOHNSTON: Yeah. We -- was that
6 addressed?

7 MEMBER GRUBBS: Well, that was --

8 CHAIR FERVIER: The recommendations made to
9 the legislature, I thought, at a previous meeting.

10 VICE CHAIR JOHNSTON: Right. My question
11 would be: Did we send the resolutions that we passed in
12 the last several months to the General Assembly? We --
13 I think we've passed resolution to recommend ending no
14 excuse absentee voting -- excuse me -- and to recommend
15 receiving of all ballots by 7:00 p.m. on election day.

16 We passed a resolution that all ballots shall
17 be received by 7:00 p.m., and that includes your
18 ballots. And apparently, the Supreme Court has recently
19 ruled on that and says that the election day ends at
20 whatever, 7:00 p.m. on Election Day and ballots are --
21 should not be received after that.

22 Additionally, I -- you know, I would -- we
23 still have the looming SB 189 issue with what will
24 happen with the legislation that requires removal of the
25 QR codes. And I would really not have -- like to

1 support the ability of the legislature, the General
2 Assembly, to pass the legislation that would offer a
3 solution to removal of the QR codes and move immediately
4 to hand-marked paper ballots and utilize ballot on
5 demand printers with good controls, strict controls for
6 the perhaps 20 or 30 counties that may need to use a
7 ballot on demand printer during early voting.

8 That's certainly a solution that could be
9 provided. 129 counties that we have in Georgia only
10 have one early voting site. They can simply have
11 preprinted ballots made for their early voting and be
12 kept at their one early voting site and accounted for.

13 And the strict ballot accounting, how many
14 ballots are printed, how many ballots are used, and how
15 many ballots are left. And the scanners -- with the
16 scanners that we have, we will work with that as we
17 speak.

18 And then Election Day can be utilized to have
19 pre-printed, hand-marked paper ballots that I think the
20 General Assembly is struggling with the details, the old
21 devil in the details of this, but they're charged with
22 removing these QR codes by July 1st. And I do not know
23 what they're coming up with, but there's a solution if
24 they want it. And I -- and I fear that it -- they may
25 opt to kick the can and leave things as they are.

1 But SB 214 is, I think, addressing the
2 possibility of having hand-marked paper ballots. And
3 it's doable. This is very workable if the will of the
4 General Assembly is there to make that happen.

5 You need a good chain of custody. We've
6 certainly heard plenty of cases recently about problems
7 with chain of custody. And certainly need to have good
8 documentation of ballot scanner tabulator tapes that are
9 open and closed on the same ballot scanner, not have a
10 break in the chain of custody. And those tabulator
11 tapes must be produced for the county boards that are
12 reviewing the election documents before they certify.

13 That's absolutely imperative, and not just if,
14 you know, somebody asked for those. They should be
15 presented to them from this -- assumed and -- from the
16 get-go that they can quickly check and make sure that
17 the ballots that are cast in the ballot box, the numbers
18 match and add up correctly to the number of voter list,
19 the actual people who came in to vote. Fancy that, you
20 know, that you would know exactly how many people came
21 in to vote. That would match up with exactly how many
22 ballots were cast, and therefore, you can come up with
23 your votes counted.

24 So those are essential elections items to --
25 for the General Assembly to consider. But I would be --

1 I don't -- and I'd be glad to hear from the rest of the
2 board if they have other ideas, but we are -- we're here
3 to support the General Assembly with whatever
4 legislation that they pass.

5 CHAIR FERVIER: Okay. Comments? Any further
6 comments? Okay. Next item on the agenda is Cases and
7 Investigations.

8 Dr. Johnston.

9 VICE CHAIR JOHNSTON: Oh, yeah. Yes, yes.
10 Yes. So cases and investigations the -- as mentioned
11 earlier yesterday, we heard the remainder of the cases
12 that were completed for presentation by the Secretary of
13 State investigators. We have basically cleared the
14 decks, completed -- ready to be presented hostile
15 election violation cases.

16 The Secretary of State investigators have
17 cases that they're working on. But they -- as we speak,
18 that there are no new cases to be presented to the State
19 Election Board. So we are grateful for all of the hard
20 work that every member on this board has put in, the
21 hours and hours to carefully review and carefully
22 consider the merits of all of these cases, the
23 allegations and the evidence provided. And I think
24 we've made as sound decisions as we possibly could and
25 referred when indicated.

1 However, going forward, I think it's time for
2 the State Election Board to consider something new. And
3 this would be the consideration for the State Election
4 Board to authorize a pilot project to investigate some,
5 you know, potential election code violations through the
6 engagement of an independent licensed private
7 investigator.

8 I think that this is the time that we might --
9 may embark on this small pilot project. And we can
10 review the cases that would be indicated that would be
11 achievable and -- you know, and have a presentation and
12 a report in a month or two of some rather
13 straightforward case complaints and investigations with
14 the public presentation in a written report to the State
15 Election Board.

16 And I specifically -- we might focus on
17 something -- that a case such as something as simple as
18 voter rolls and what is conducive to fair or legal and
19 orderly conduct of elections to achieve current and
20 accurate voter rolls that are necessary to ensure
21 non-discriminatory and uniform elections.

22 The Election Board is charged with oversight
23 of this administration of election laws in the state of
24 Georgia. And we are charged to ensure that the voter
25 rolls are maintained in accordance with applicable law.

1 So Mr. Chair, I would make a motion to
2 authorize taking Director Mills to contract with a
3 licensed private investigator for a pilot project to
4 investigate several complaints presented -- that would
5 be presented to the State Election Board.

6 CHAIR FERVIER: I don't oppose this. I want
7 you to know that. But I -- this is the very first I've
8 heard of this today, and I would like to know what the
9 cost is going to be, exactly what the job duties
10 entitles -- this person going to be. And I just think
11 that a little bit more information would be helpful
12 since this is the first that we've heard of it today.
13 And so if we could have a proposal for the board for
14 consideration -- like I say, I don't oppose it. I just
15 would like some more information before this board is
16 able to act on that, so.

17 VICE CHAIR JOHNSTON: What information would
18 you like?

19 CHAIR FERVIER: Well, I -- I'd like to know
20 who it is. I would like to know who you propose. I
21 would like to know what we're going to pay this person.
22 I'd like to know exactly what their duties and
23 responsibilities are going to be, who they report to,
24 you know, the kind of hours, just general job
25 description of what this is going to entail, and --

1 MEMBER KING: Wouldn't we have to pass it
2 first so that then he can directly work on that?

3 CHAIR FERVIER: I think we can -- yeah. We
4 can pass him creating a proposal to present to the
5 board. Absolutely. And that way, the board will have
6 something to consider -- you know, to look at, so.

7 VICE CHAIR JOHNSTON: Well, rather than having
8 to wait month after month after month for one step, next
9 step, next step, I'm -- my motion would be to authorize
10 Director Mills to proceed with identifying a licensed --
11 an LPI licensed prep private investigator and negotiate
12 a rate in a contract for a pilot project and a limit to
13 the amount of money that may be spent. Considering our
14 budget, we have a modest budget to begin with.

15 And Director Mills, he has the authority to --
16 he does have the authority to contract with vendors
17 according to the code. I think we should trust him to
18 be a good steward of our budget and our funds and what
19 our goals are as far as investigations. We're certainly
20 experienced with what's required. And then let him
21 proceed with that.

22 And if there's any objection, then bring it
23 back. But otherwise, give him the go ahead today to
24 initiate a few simple investigations to see how this
25 might work for the State Election Board.

1 CHAIR FERVIER: The problem is, we can't
2 object to things we don't know about. And I agree with
3 allowing him to go ahead and talk to somebody and
4 present a proposal for it and the cost everything and
5 then give that to the board and let the board decide.
6 Then we can have something to object to. If he goes and
7 hires somebody, writing the contracts with him, we can't
8 really object to anything we don't know about. So it's
9 --

10 MEMBER GRUBBS: Well, I think part of that --
11 part of that issue is, is that getting a quote and that
12 kind of thing, an investigator is not going to know what
13 they're going to charge until they get into the
14 investigation. That's part of the issue.

15 CHAIR FERVIER: Well, they know how much they
16 charge an hour. And they would know that. That's -- I
17 mean, all investigators know that and certainly come
18 with a contract. I mean, that's -- when I hire
19 investigators, they give a -- an hourly rate and they
20 give me a -- an estimated number of hours it's going to
21 take.

22 And so I have some identification. I also --
23 I also know who I'm hiring at that point. And so I --
24 and I don't think this takes month after month after
25 month. I mean, this is something that --

1 MEMBER KING: We have the --

2 VICE CHAIR JOHNSTON: Well, the problem is
3 scheduling a meeting. You know, we've had difficulty
4 with getting meetings scheduled and actually put on the
5 agenda, put in the website, noticed. If -- you know, if
6 I was assured that a meeting would -- could be held by
7 Zoom, I presume, within an appropriate amount of time
8 rather than delay, delay. But I -- I'm with you. But I
9 don't have the confidence that we'd get meetings
10 scheduled and heard appropriately in a timely way.

11 CHAIR FERVIER: Well, we have a meeting
12 scheduled for 30 days from now. And if he has something
13 to present before then, and two members of this board
14 want to call a meeting, then a meeting will be called to
15 consider his proposal. I -- this board can do what it
16 wants to do. That's just my suggestion.

17 And, you know, something of just magnitude, I
18 think it is something of magnitude when you talk about
19 going outside our current staff and doing something like
20 that, that the board ought to know what we're getting
21 into with this and have an understanding of it. So
22 that's my comments. This board would -- obviously, can
23 do what it wants to do, so.

24 MEMBER KING: We can't determine -- there's no
25 one that can determine hourly rate without knowing what

1 exactly they're investigating, to Member Grubbs's point.

2 CHAIR FERVIER: Well --

3 MEMBER KING: So I know you worked with
4 private investigators before, but I'm assuming you
5 contacted them to for their services. You provided them
6 with the scope of work or something to let them know
7 what they will be doing or working on so they can give
8 you a proposal based on the hourly rate.

9 CHAIR FERVIER: No. They all have a standard
10 hourly rate they use.

11 MEMBER KING: So this is being for all private
12 investigators?

13 CHAIR FERVIER: Every one I've ever used has a
14 standard hourly rate that they use.

15 MEMBER KING: So it -- what is there -- we
16 already know that, and we shouldn't be able to put
17 together a budget.

18 CHAIR FERVIER: It ranges from less than \$100
19 to several hundred dollars an hour. I mean, it's all
20 over the board, so.

21 VICE CHAIR JOHNSTON: Well, the -- my position
22 is, is that we have an executive director to operate in
23 this exact way, and that we put our full faith and trust
24 that he will be a good steward of the money that he
25 spends on behalf of the State Election Board. And we'll

1 implement that. That's why we have an executive
2 director, to implement these --these actions. And we
3 don't have to micromanage Director Mills. That --
4 that's what he gets paid for.

5 CHAIR FERVIER: No. I agree with -- my -- you
6 know, bringing on a new project and this board having at
7 least some input into it is not micromanagement
8 necessarily. It's just stewardship of the funds that
9 we've been given at some point. So like I said, this
10 board can do what it wants to do. I've made my
11 comments, you know. This board will vote the way that
12 it votes, so.

13 MEMBER GRUBBS: So on this issue, Dr.
14 Johnston, I'd like to first of all say that after going
15 through the cases and reading the investigations for the
16 investigators, I'd like to make a point that there are
17 some really good investigators that are employed by the
18 Secretary of State's office. In a lot of the
19 investigations, I think that they've done a very good
20 job of identifying issues and correlating that to
21 violations in the State Election Code and things, like,
22 that. So I appreciate their hard work.

23 But I also acknowledge that there is this
24 schism between us and the Secretary of State's office
25 where we can't even talk to the investigators seemingly

1 now. We have to -- it -- I feel like, you know, we
2 submit our questions, you know, and then it comes back
3 like out of a -- it's just an overly- burdensome process
4 to even get that information.

5 And there are some -- there are some cases
6 where I would say, Well, why didn't they do this, or,
7 why didn't they do that, you know, in conducting the
8 investigation. And then you have the fact that we still
9 have 2020 cases that have not been addressed. And I
10 finally -- you know, I emailed with Investigator Koth,
11 and she's quite pleasant to deal with and I like her
12 very much.

13 But, of course, she was going to be out of
14 town and then, you know, we're banished from having
15 interaction with the investigators and that kind of
16 thing. But when you come up with questions you know,
17 you have to email this one and this one and this one,
18 and then you might -- by the time it pings back, you're
19 like, I forgot why I even asked a question.

20 You know, it becomes -- especially in our busy
21 lives where, you know, we have jobs that we work and
22 things like that. We have a life outside of the State
23 Election Board. And so I have to say, it would be
24 extremely nice to engage with someone doing an
25 investigation, especially critical investigations, with

1 some of the very, very important issues that come
2 forward to us where we don't have that rigmarole to jump
3 through.

4 And Dr. Johnston, I agree with you that -- and
5 I hear the chairman's point of view, and I understand,
6 but we're not scrutinizing the level of detail that he
7 would -- that Director Mills would undertake to go get,
8 you know, D&O insurance. So are we going to scrutinize
9 him over, you know, choosing an investigator or
10 discharging that responsibility to have an investigator
11 engaged with the State Election Board?

12 And so I'm very much in favor of us engaging
13 someone from the outside who would be able to
14 investigate some of these more critical cases so that
15 they don't take six years to come before us. Taking six
16 years to come before us is ridiculous.

17 Maybe it's because they're overworked. Could
18 be because they're picking and choosing what they want
19 to bring forward. I don't know. We have no control
20 over that, which is another issue. Since we don't have
21 control over kind of previewing what those complaints
22 are because it goes to the Secretary of State, then how
23 are we to know? And we are discharged with a duty to
24 investigate. So I would like to see how this goes.

25 VICE CHAIR JOHNSTON: My other concern is, to

1 post a meeting requires going through the Secretary of
2 State's gauntlet of Ms. McGowan and IT. And should
3 somebody in the office object to this pilot project,
4 they simply might not post our meeting to approve more
5 details to this contract. I mean, and that's sort of a
6 -- kind of a weird way to look at it, but that's the
7 reality of what we have to deal with, is simply posting
8 a meeting to go further to hear about just a pilot
9 project.

10 I would -- I could certainly add to the motion
11 a limit of \$10,000 to initiate -- to provide -- to
12 authorize Director Mills to spend for this pilot project
13 --

14 MR. MILLS: That's fine.

15 VICE CHAIR JOHNSTON: And report back before
16 we move further with any other investigations. I think
17 we could certainly have several investigations for that
18 amount of money or less with an LPI.

19 CHAIR FERVIER: Do you have a motion?

20 VICE CHAIR JOHNSTON: Mr. Chair, I move that
21 we authorize Director Mills to contract with a licensed
22 private investigator to conduct a pilot project of one
23 to four investigations -- complaints, election
24 complaints that have been submitted to the State
25 Election board -- and report back as soon as these are

1 completed to the State Election Board and authorize
2 Director Mills to spend up to \$10,000 for this pilot
3 project.

4 CHAIR FERVIER: There's a motion. Is there a
5 second?

6 MEMBER KING: Second.

7 CHAIR FERVIER: Motion and second. Any
8 discussion? All those in favor, signify by saying aye.

9 (Ayes were heard.)

10 CHAIR FERVIER: Any opposition? So moved.
11 Next on the agenda is a presentation by the Coalition
12 for Good Governance on election law, complaint on voting
13 systems during 2026.

14 Ms. Marks, is Ms. Dufort assisting you? Okay.

15 MR. MILLS: Mr. Chairman, it's 15 minutes.

16 CHAIR FERVIER: Ms. Marks?

17 MS. MARKS: Yes?

18 CHAIR FERVIER: It's been the standard of this
19 board when people make a presentation -- for us to give
20 them 15 minutes. And so I would hope that you'll be
21 able to -- did you have something you were passing out?
22 No? Okay. So I would hope that you'll be able to keep
23 that -- when you get within about two minutes, the
24 executive director will let you know that you're within
25 two minutes, okay?

1 MS. MARKS: Okay. Thank you.

2 CHAIR FERVIER: Thank you.

3 MS. MARKS: I -- I appreciate that. I will do
4 my best. Of course, we're trying to cover a mass amount
5 of material in a short period of time.

6 CHAIR FERVIER: Okay.

7 MS. MARKS: But thank you. My name is Marilyn
8 Marks. I'm the Executive Director of Coalition for Good
9 Governance. And I want to start where Member King left
10 off on September 24th. She said this: I feel like we
11 keep playing this game of hot potato, right? It's like,
12 we don't want it. Let's throw it over there. They
13 don't want it. Let's throw it over here. Well, they
14 were still throwing around a hot potato.

15 Or perhaps it was the elephant in the room, as
16 Dr. Johnston said in the December meeting. She said,
17 this petition for rule amendment is about secrecy,
18 ballot secrecy, but it's the elephant in the room
19 because the consequence of not meeting ballot secrecy
20 standard is to revert to hand-marked paper ballots.

21 The Courts have struggled with the voting
22 system. The legislature has fumbled it even in the last
23 two weeks. Dr. Johnston has just said that she wants to
24 be in dialogue with the legislature on a permanent
25 solution. And what we want to talk to you about today

1 is a temporary solution until that permanent solution
2 can be determined.

3 This board has clearly not wanted the elephant
4 or the hot potato, but the legislature has assigned to
5 this board the very duty to enforce the law, and the
6 Courts have reinforced the fact that it's the duty of
7 this board on -- to decide on such matters and to force
8 compliance with the law. So unfortunately, it's your
9 hot potato and your elephant to have to deal with, but
10 I'm here to ask you to handle that today not
11 defensively, but responsibly, and use the depth of your
12 knowledge that this board has about Georgia's voting
13 system. And quite frankly, that knowledge exceeds that
14 of the members of the legislature.

15 This is not a policy question. The lawmakers
16 have already answered that question. They have answered
17 the question of what happens when the voting system
18 components cannot be operated to comply with law. The
19 back-up system is required. It's not rule-making. It's
20 not eternal vigilance, which is solely about
21 rule-making. It's not about legislating.

22 The legislature has spoken clearly. They've
23 stated what the law is, and it has given the county
24 conditions for use for the voting system. They intend
25 to allow people to vote on a touch screen. They're not

1 -- they're -- they -- we don't vote on the touch screen
2 system unless it meets those conditions for use, the
3 conditions that the general assemblies laid out. And
4 then they've instructed this board to enforce that law
5 and to order the back-up system when the primary system
6 is not working. It's the -- and it's the enforce -- the
7 enforcement is this board's obligation and duties. The
8 courts have made that clear.

9 Dr. Johnston just said that she would be
10 supportive of whatever the General Assembly passes for a
11 permanent solution. And so we are asking you to be
12 supportive still today of what the General Assembly has
13 created as a solution in the past, and that's the
14 back-up system.

15 So why we're here? It's really been the lack
16 of action by this board, the courts, and the legislature
17 that has resulted in depriving Georgia voters of the
18 ability to participate in legally- conducted elections.
19 Today's elections are not being legally conducted. We
20 all know that the law prohibits violation of voter
21 secrecy or ballot secrecy. It today prohibits the use
22 of QR codes for official votes. So not just in July,
23 it's today, too. And then it prohibits the use of
24 voting machines that cannot meet the testing
25 requirements.

1 But the voters' rights are being trampled on
2 when they cannot participate in legally-conducted
3 elections. That can only lead to, particularly in 2026,
4 more divisiveness, more controversy, contested
5 elections, and never-ending questions about who won.
6 You know, we wouldn't be having these debates today
7 about 2020 if the law had been followed at that time.
8 It would've have been settled in 2020. It would have
9 been settled with a manual recount. But we didn't
10 follow the law. So this board has the authority and the
11 duty to ensure that the midterms are conducted legally
12 and with the voters' rights honored.

13 So on December the 31st, we at Coalition for
14 Good Governance filed a formal complaint naming Hall
15 County and Cobb County as respondents. At that time, we
16 repeatedly requested a prompt hearing from this board so
17 that the board could timely issue orders to the counties
18 in time for, we suggested, the March 10th CD 10 vacancy
19 election. But we -- we are coming too -- too close now.
20 But tomorrow I will resubmit all of the follow-up
21 letters that I have written to be included in the formal
22 record.

23 So I've told -- I've been told that this is
24 just a discussion, not a formal hearing. For the
25 record. I need to object to that and -- if we're being

1 denied a hearing. And it does represent a denial of due
2 process. But whether we ever get a hearing or not,
3 whether we ever hear our complaint heard, whether we
4 ever get to even have this discussion, you all have the
5 duty under the law to enforce compliance with Georgia's
6 Election Code.

7 And our complaint alleges three areas or five
8 areas of violation of law: Ballot secrecy, which we've
9 talked to this board about many times, the failure to
10 use a system that records the vote in a manner that the
11 voter can verify before casting her ballot, the
12 inability to conduct the statutorily- required test
13 before the system is deployed in the polling places,
14 violation of HAVA federal law audit capability
15 requirements, and the anti-tampering rules for the
16 public to be able to watch the machines as being
17 operated to be sure that nobody can be tampering with
18 them.

19 We're not asking you to invent new policy.
20 We're not asking you to promulgate new rules right now.
21 We're not asking you to legislate, that's for sure.
22 We're just asking you to do what -- what you do with
23 other complaints of violations, enforce the existing
24 law. In the last day, you all have done many things to
25 enforce the -- the compliance with existing law. You

1 give letters of reprimand, letters of instruction, you
2 generate fines to comply -- to get people to comply with
3 the law.

4 In the past, you've told us that we should
5 come back to you with a specific complaint about
6 specific counties if we don't like what's happening on
7 -- with respect to ballot secrecy testing, et cetera.
8 So we we're here today having done just that. When we
9 brought you in 2023 the Petition for Rule-making
10 regarding logic and accuracy testing requirements that
11 required counties to either comply with the LAT testing
12 -- if they could not, then use the back-up system. But
13 this board said, No, no. The statute's already clear.
14 We don't need any more rules. The statute's clear.
15 What you need to do, CGG, is come back to us with a
16 complaint and name counties and then we will enforce the
17 law.

18 In fact, Mr. Lindsey said it would be
19 incumbent on us and the Secretary of State to push on
20 the counties so that those -- on the counties those
21 methods that put them into compliance with law. He
22 says, I'm always going to tell the counties to follow
23 the law. So here we are with our complaint. We've done
24 exactly what you asked us to. And the denial letter
25 that we got from the board at the time, we will submit

1 that as part of this record.

2 So what has the federal court said about -- in
3 the cases, by the way, in which this board was a
4 Defendant regarding the board's authority? In the
5 Curling case, where, of course, we were Plaintiffs, you
6 were Defendants -- are -- still are -- the case is on
7 appeal -- that this board had argued that you don't have
8 authority, that it is the county's authority. And the
9 Court said, Oh no. This is the State Election Board's
10 authority.

11 She expressly acknowledged, she -- she being
12 Judge Totenberg, that the State Election Board possesses
13 not only the authority but the duty to act when a voting
14 system cannot be lawfully or practically used. The
15 Court went so far as to say that this board's position
16 that it didn't have authority to declare a system
17 impossible or impracticable to use -- she said the
18 board's position was meritless. She relied on Eleventh
19 Circuit case that is in your files that involved the
20 governor, who was then the secretary of state, Governor
21 Kemp -- where the Appeals Court said that members of the
22 State Election Board had the authority and duty to
23 direct compliance with law. Nothing has changed from
24 that time.

25 As it relates to the voting system as it's set

1 up today that causes all voters to vote on the
2 touchscreen system, this is what the Curling Court
3 opined: The statutory provisions mandate voting on
4 electronic ballot markers that one, use electronic
5 technology independently and privately to mark a paper
6 ballot at the direction of an elector, interpret ballot
7 selections, communicate such interpretations for elector
8 verification, and print an elector- verifiable ballot.
9 And two, produce paper ballots which are marked with the
10 elector's choices in a format readable by the elector.
11 And she cites the -- the code section and goes on to
12 say, Plaintiffs and other voters who wish to vote in
13 person are required to vote on a system that does none
14 of those things. The judge is saying the system does
15 none of those things the law requires. Rather, she
16 continues, the evidence shows that the Dominion BMD
17 system does not produce a voter-verifiable ballot on a
18 paper or paper ballot marked with the voter's choices in
19 a format readable by the voter because the votes were
20 tabulated solely from the unreadable QR code.

21 So again, this is enforcement, not
22 rule-making. There's been continued conflation of those
23 ideas, oftentimes in conversation between rule-making
24 authority and enforcement. They're two separate and
25 distinct things. This, again, has absolutely nothing to

1 do with the old bogeyman eternal vigilance, which gets
2 raised every at every turn.

3 So the General Assembly has already spoken.
4 They gave these conditions for use. So you're not
5 waiting for legislative clarification. They've been
6 clear. You're not trying to change policy. You're just
7 asking that -- or you are being asked that you ensure
8 compliance with the law that already exists. It's your
9 obligation.

10 Quoting you again, Member King, from the
11 September meeting, you said, At some point we could have
12 put a stop to this craziness and this hamster wheel that
13 we are on. I'm tired of talking about it. Good Lord.
14 Can we just fix the problem and move on? All the public
15 is asking is to be able to write on their own ballot and
16 submit it. I don't understand why it's so complicated.
17 Quite frankly, we don't either.

18 MR. MILLS: Two minutes.

19 MS. MARKS: Two minutes. Okay. This is going
20 to be hard to wrap up in such a short period of time.

21 You all have -- have the record. We are
22 asking for violation. We are asking you to -- to read
23 -- read the law on the very points that we have talked
24 about. You know you've got a ballot secrecy problem.
25 It has been acknowledged. It's in the record.

1 In 2023, Dr. Johnston said, Indeed, ballot
2 secrecy is a priority, it's a requirement, and it can be
3 a problem, especially with large touch screens.

4 Chairman Fervier said, I've gone across the state and
5 watched voting in some places that are very large -- you
6 can separate them -- and some are very small. And it's
7 difficult to do that.

8 So I'm not going to have time to go through
9 the details of all of the violations of law that we have
10 alleged and are asking you to find violations on. It's
11 in the record. I'm happy to answer comments about that.
12 Just so -- just so you know, the last time that this was
13 taken up as a violation in the form of a complaint, just
14 on secrecy alone, you all had a seven-hour hearing just
15 on secrecy. And proper notices were sent, that sort of
16 thing. And I just want to make a distinction between
17 having that kind of a hearing and what we're doing
18 today, when I'm being told we have 15 minutes to cover
19 these -- these broad public policy issues.

20 So our requested relief is we are asking you
21 to issue an order directing the named respondents in --
22 and all counties, all other counties, to cease and
23 desist using the touchscreen system, the touchscreen
24 portion of the system in violation of law and deploy the
25 statutorily-required back-up configuration. And I have

1 updated the proposed order and I can give that to you.
2 The violations are occurring now. The legislature has
3 spoken and the Courts have already addressed your
4 authority.

5 CHAIR FERVIER: Thanks, Ms. Marks.

6 MS. MARKS: So may I answer any questions for
7 you?

8 CHAIR FERVIER: I want to thank you -- your
9 presentation prior to this board meeting today with your
10 notes and files and cases you sent to us --

11 MS. MARKS: You will get some more.

12 CHAIR FERVIER: -- which was -- which is
13 rather lengthy. And I appreciate that. It's always
14 good to educate myself on these kinds of things. And so
15 you've been very persistent, and I appreciate all the
16 information you provided this board and your persistence
17 with it. I want to be clear on one thing. You're
18 asking us to order all 159 counties to go to the
19 hand-marked paper ballot, right?

20 MS. MARKS: Yes. That is correct.

21 CHAIR FERVIER: So it will affect -- it would
22 affect --

23 MS. MARKS: To the back-up system.

24 CHAIR FERVIER: To the back-up system. Right.
25 Which is hand-marked paper ballots.

1 MS. MARKS: Correct.

2 CHAIR FERVIER: Okay.

3 MS. MARKS: And use the -- to be clear, use
4 the scanners, not hand counting the ballots.

5 CHAIR FERVIER: Right? No hand counting.
6 Just the back-up system, which is hand-marked --

7 MS. MARKS: Exactly.

8 CHAIR FERVIER: -- paper ballots. Right. And
9 in early voting and Election Day, right?

10 MS. MARKS: That's correct.

11 CHAIR FERVIER: Okay. Okay. Any other
12 questions from the board for Ms.

13 Marks?

14 MEMBER GRUBBS: I just have a couple of
15 questions. Ms. Marks, can you remind us what attorneys
16 argued on why we do or don't have the authority to make
17 this decision?

18 MS. MARKS: Yes. And this goes back to 2019.
19 And by the way, the law has not changed on impossible
20 and impracticable since then. And in 2019 when the DRE
21 voting system was being alleged by us as violating the
22 laws, the State Election -- and -- and we said, State
23 Election Board, it's your duty to -- to acknowledge that
24 it does not meet law. Your lawyers argued, Oh, no, no,
25 no. It's not ours. It's the county's duty to do this.

1 It's the county's duty to each recommend -- you know,
2 determine that they're not meeting the law. It's not
3 us, it's them. And the -- that argument was invalid for
4 reasons we can talk about.

5 But the judge said, No, you're wrong. It's --
6 it's not solely the counties' duties. This board has
7 the authority. And in fact, she said, Your position
8 trying to delegate it down to the counties is meritless,
9 that you don't -- they have the duty, but this board
10 does as well. And I'll be happy to send you that --
11 that citation and -- and what was argued if that would
12 be helpful.

13 MEMBER GRUBBS: That would be great.

14 MS. MARKS: Thank you.

15 MEMBER GRUBBS: Also, some suggested the
16 back-up system. We had the back-up system and then we
17 have the emergency system. Can you explain the
18 difference between back-up and emergency?

19 MS. MARKS: Yes. I think that there have even
20 been members of this board who -- who have said --
21 who've talked about the emergency system being defined
22 in the statutes. Now, there is no such thing as
23 emergency ballots defined in the statutes. The idea of
24 emergency ballots is a creation of this board that it
25 made in rule making. And the -- the back-up system that

1 is provided for in statute is, it -- it does not in any
2 way limit the use of the back-up to system to an
3 unforeseen circumstance.

4 And, in fact, the one example it gives is not
5 an emergency at all. It gives the example of having too
6 many candidates to fit on the automated ballot and
7 therefore having to go to a paper ballot to fit all the
8 candidates on. And that certainly wasn't an unforeseen
9 Election Day emergency. So there -- that is just a
10 complete misunderstanding by the board to think that
11 it's only limited to emergencies.

12 You all did create rules for unexpected
13 emergencies, the -- you know, we've got a water leak or
14 the power goes out. You all did create that -- that.
15 It -- but it -- but those rules should not have been,
16 but were more or less limited to those circumstances.

17 MEMBER GRUBBS: Thank you.

18 CHAIR FERVIER: Any further questions from the
19 board?

20 MEMBER KING: Thank you.

21 MS. MARKS: Okay. Well I do have an updated
22 and amended order that I would -- proposed order that I
23 would like to pass out.

24 CHAIR FERVIER: Please do.

25 MS. MARKS: Okay. All right. I will do that.

1 And if today you are not ready to -- to do this and you
2 feel like you need more time, I would urge you to at
3 least tell the counties that it is your intent to
4 require them to comply with law and that you will
5 reconvene very soon to have a -- more in depth details
6 on how and when you want them to comply with the law
7 when you've had a chance to get into the details a
8 little bit more and had more in depth discussions.

9 So I would ask you to give them plenty of
10 notice. Tell them -- tell them that they must -- they
11 must comply with law and that you intend to order that.
12 So let me give you this proposed --

13 CHAIR FERVIER: Okay. Hand it to Shaun
14 (phonetic), please. Thank you.

15 MEMBER GRUBBS: Thank you.

16 CHAIR FERVIER: I want you -- I appreciate you
17 coming in here and helping educate us on this topic.

18 MS. MARKS: But I can't believe you called me
19 persistent.

20 CHAIR FERVIER: Pardon me?

21 MS. MARKS: I can't believe you called me
22 persistent.

23 CHAIR FERVIER: I didn't get any pushback on
24 that, so.

25 MS. MARKS: I'm -- I'm sure they would all

1 like to argue with that right now.

2 CHAIR FERVIER: I don't think so. Any further
3 comments from the board?

4 MS. MARKS: Thank you.

5 CHAIR FERVIER: Thank you, Ms. Marks.

6 Next item on the agenda is Public Comments, my
7 favorite portion of the meeting. The executive director
8 will handle public comments today. The individuals
9 making comment, as I stated -- suggested at the
10 beginning of the meeting, if you would please just be
11 respectful of everybody else's comments and, you know,
12 do the jazz hands or whatever you want to do.

13 But people have differing opinions. You're
14 probably going to hear something you don't like, but
15 everybody has a right to be heard. And so I just ask
16 you to please be respectful of everybody's comments.
17 And you have -- you'll each have two minutes to speak.
18 The executive director will let you know when you have
19 about 15 seconds left. And the two minutes, we would
20 hope that you would clear it up pretty quickly.

21 There will be a couple of individuals that
22 were here yesterday that wanted to attend by Zoom
23 because they weren't able to make it back today. So
24 they'll be attending by Zoom.

25 And then, just so I don't forget, the next

1 scheduled meeting is Wednesday, March 18th, and it will
2 be held at the Marietta City Hall. So Marietta City
3 Hall. And I guess that's downtown Marietta. Never been
4 there before. So that will be Wednesday, March 18th.

5 MEMBER GRUBBS: You moved into my town then.

6 CHAIR FERVIER: Pardon me?

7 MEMBER GRUBBS: That's my town.

8 CHAIR FERVIER: Your town?

9 MEMBER KING: Mr. Chair, I was going to -- I
10 was going to ask if -- I know two people have requested
11 -- from today's meeting -- to speak. They weren't at
12 the -- at yesterday's meeting during public conference.
13 And I was, like -- I wanted to give them that time. And
14 it was Joseph Kirk and Garland Favorito.

15 CHAIR FERVIER: Okay. Was there anybody else
16 then?

17 UNIDENTIFIED SPEAKER: Yes. We do have one
18 more speaker.

19 CHAIR FERVIER: Okay.

20 UNIDENTIFIED SPEAKER: David Ramsey.

21 CHAIR FERVIER: David who?

22 UNIDENTIFIED SPEAKER: Ramsey.

23 CHAIR FERVIER: Ramsey. David Ramsey?

24 MEMBER KING: And Favorito.

25 CHAIR FERVIER: And Tamra (phonetic) and

1 Favorito?

2 MR. MILLS: Who was the other one?

3 CHAIR FERVIER: What?

4 MR. MILLS: Who was the other one.

5 CHAIR FERVIER: Who was the other ones, you
6 said?

7 MEMBER KING: Oh. Joseph Kirk.

8 CHAIR FERVIER: Joseph Kirk. Yeah. We need a
9 quick five-minute break. Let's take a quick five-minute
10 break and we'll start promptly after that. So thank
11 you.

12 (A recess was taken.)

13 CHAIR FERVIER: Thank you. We're going to --
14 we're going to begin with -- we have some people
15 attending online, Zoom online, so we can allow them to
16 speak and then they can go about their day. And like I
17 said, our executive director will handle it going
18 forward so I am passing the gavel and the time case to
19 the executive director.

20 MR. MILLS: And Shaun, if you would hold the
21 call just for a second. Because there is one issue that
22 I need to at least discuss with the board. That is that
23 I don't have any cases to put on the March agenda except
24 for the ones that you've continued, which is a --
25 miraculous event and a great credit to this board. And

1 I -- and I mean that to each one of you.

2 Even you, John. I mean it. I do.

3 We have worked together to accomplish this and
4 it is to be celebrated. And I mean that. You did a
5 great job keeping us moving yesterday, Mr. Chairman, and
6 I -- and I thank you.

7 CHAIR FERVIER: Talk fast. Thank you.

8 MR. MILLS: Now, let me talk slow when I'm
9 congratulating you.

10 CHAIR FERVIER: No. I'm saying I talk fast.

11 MR. MILLS: Okay. Okay. All right. So
12 here's the situation. I've been asking the SOS for
13 cases since December 31st ready -- and so I don't have
14 any cases ready for presentation except for the ones
15 coming.

16 And Mr. Chairman, if you could communicate
17 with them, that would be great. We need cases ready.
18 If I started today, March the 18th -- we like to give
19 people notice before the meetings. And you see that
20 we're up against the wall if we started today. I don't
21 even have the cases or the names of the people to
22 notify. And it's not because I haven't been asking for
23 them. I have --

24 VICE CHAIR JOHNSTON: Right. We're on --
25 we're on the 30-day notice now.

1 MR. MILLS: We are. And I want to say, Mr.
2 Caleb Groves, I hope this will be news for you. Now,
3 you wrote about this board all summer.

4 VICE CHAIR JOHNSTON: We're counting on you.
5 We're counting on you.

6 CHAIR FERVIER: We continued the Fulton County
7 discussion, right? We continued the Fulton County
8 discussion to next time, right?

9 VICE CHAIR JOHNSTON: Yes, we did.

10 CHAIR FERVIER: So we'll want to put that --
11 certainly, that's a -- and we'll have some people coming
12 in to speak about that.

13 MEMBER GRUBBS: There's continued cases that
14 we heard yesterday.

15 CHAIR FERVIER: Yeah. And -- well, I'm just
16 saying, that one and Chatham County also, right? So I
17 imagine those will take a good day, each of those. So
18 probably, we'll decide whether they need to go first or
19 last and get everybody else out here. So we'll -- I
20 mean, there will be a couple -- it will take a couple
21 hours. Certainly, it will be a one-day meeting.

22 MR. MILLS: They will. But we need to keep
23 working through cases because even though we don't have
24 them, I have looked at some of the ones that were
25 active. We still have cases from 2020, 2021.

1 MEMBER KING: Active? That they're actively
2 investigating right now.

3 MR. MILLS: Yes.

4 VICE CHAIR JOHNSTON: Yes.

5 CHAIR FERVIER: You have a list of the cases
6 we haven't heard yet?

7 MR. MILLS: Not that are ready for
8 presentation.

9 CHAIR FERVIER: But just a -- just a list.

10 MR. MILLS: I have what they sent me as --
11 which is a compilation of both of them, an attachment.

12 VICE CHAIR JOHNSTON: In investigation?

13 MR. MILLS: Yes. It --

14 CHAIR FERVIER: Can you -- can you break out
15 the ones that we have not heard yet? Or -- I mean, you
16 can go -- you can probably go through the entire list.
17 Just highlight what's heard and what's not been heard.

18 VICE CHAIR JOHNSTON: What they sent has not
19 been heard.

20 MR. MILLS: Right. That's right. The whole
21 -- the whole attachment has not been heard.

22 VICE CHAIR JOHNSTON: Right.

23 MR. MILLS: It's either --

24 CHAIR FERVIER: Okay.

25 MR. MILLS: -- in active investigation or some

1 of them are under review for presentation. Right?

2 CHAIR FERVIER: Please send that to me.

3 MR. MILLS: Okay. Uh-huh.

4 VICE CHAIR JOHNSTON: Director Mills, point
5 privilege. The meeting cannot end without a word of
6 thanks to some people if I may.

7 CHAIR FERVIER: So we're not ending yet.

8 VICE CHAIR JOHNSTON: I know. I know there's
9 public comment. But let me just take a moment to give
10 thanks and gratitude to the State Election Board staff.
11 One, Autumn Miller, recently departed not -- from work,
12 not -- from work, not departed -- from work at the State
13 Election Board -- was our paralegal that carried the
14 load under stressful conditions, secondary to many open
15 records issues in a lawsuit, and helped with that in
16 many ways. Autumn was dedicated, detailed, determined
17 to provide the public records on behalf of the State
18 Election Board, despite American Oversight lawfare and
19 greed.

20 Shaun White, Autumn's, ORR officer
21 replacement, has filled the gap quickly and
22 professionally. He is an awesome addition to the State
23 Election Board and eases the load of voluminous and
24 sometimes vague and voracious record appetites of the
25 AJC, Charles Minshew, even Caleb Groves, Mark Niesse,

1 AP, Justin Glawe, Guardian, Loree Stark, American
2 Oversight, Campaign Legal Center, New York Times, et
3 cetera, et cetera. We aim to please and we will get
4 those public records produced as quickly and timely as
5 we can.

6 Jesse Patton and Ann Delmas are our
7 investigators. They're so valuable in working to obtain
8 information from the Secretary of State investigators,
9 from complainants and respondents to assist with the
10 update and planning of our meetings.

11 Hope Coan -- our hero of the day is Hope. The
12 State Election Board meeting could not take place
13 without Hope. Our hearts are sorrowful for her recent
14 loss of her beloved mother and we pray that she'll find
15 peace and comfort in knowing that her mother is in a
16 better place.

17 Hope has introduced and educated the board to
18 use a fantastic digital binder. She has been able to
19 provide cases for review well ahead of the scheduled
20 meeting, which improves our opportunity to thoroughly
21 understand the complaints and investigations. Thank you
22 very much.

23 And, of course, James Mills. Yes. The best
24 for last, James. Hooray for James and all that he's
25 accomplished in a short seven months despite walking

1 into a void of a new agency operation, James has had to
2 reconstruct the old, construct the new, and yet to come
3 for the State Election Board.

4 I want to thank James for the many hats that
5 he wears for his unquestionable commitment to serving
6 Georgia citizens, election laws, and the United States
7 of America. I'm proud to work with such a principled
8 person, James Mills, our executive director.

9 Could we all just give a round applause?

10 (Applause.)

11 VICE CHAIR JOHNSTON: Thank you.

12 MEMBER GRUBBS: Mr. Chair, I have a question.

13 CHAIR FERVIER: Of course you do.

14 MEMBER GRUBBS: Oh, I know. I know. It's not
15 a subpoena, though. So this goes to the rhetoric that
16 is jammed up by people. My mind goes to a recent video
17 that I saw of one of the Fulton County Board of
18 Commissioners talking about how we are coming for their
19 votes and we're going to steal the votes and all that
20 kind of stuff.

21 And that kind of tone, tenor, and statement
22 just needs to stop. We're not coming for anybody's
23 votes. And I just received an email that said, election
24 denier, and then it goes on, and it's a very threatening
25 email. And so I have not been instructed on what to do

1 with threatening emails.

2 CHAIR FERVIER: I'll tell you what to do with
3 them.

4 MEMBER GRUBBS: Okay. I would appreciate
5 that.

6 And I am asking the press and Fulton County to
7 please stop with dangerous rhetoric that is simply not
8 true. We want fair elections in Georgia. We want
9 auditable elections, and we want truth for all
10 Georgians. And to use this in campaign speeches to try
11 and denigrate others or to -- it is dangerous. Because
12 in this email it says that, you know, What will happen
13 in Atlanta won't be anything compared to Minneapolis.
14 That is dangerous to Georgia citizens, and people need
15 to stop with the outrageous --

16 CHAIR FERVIER: Send me that today.

17 MEMBER GRUBBS: -- stuff. I will. I'll send
18 it to you right now.

19 CHAIR FERVIER: Are you finished?

20 MEMBER GRUBBS: I'm done.

21 CHAIR FERVIER: Let me make a comment.

22 Members of this board have received death threats and
23 all kinds of threats over the last couple years --
24 couple years I've been on it. I'll tell you now and
25 anybody listening that if you send a threatening email

1 to this board or threaten any member of this board, I
2 will turn you over to the GBI personally.

3 We will not stand for that kind of actions. I
4 don't care who you are. We will not stand for it. I've
5 done it already. I did it again last week. If you send
6 me something threatening or any member of this board and
7 the board can it send to me, you will go to the GBI and
8 they will take action against you, so.

9 MR. MILLS: All right. Let's go back to the
10 public comments now and we'll do with our -- deal with
11 our two that are online.

12 MEMBER GRUBBS: Is Daniel White -- is Daniel
13 White online? He was saying that the link yesterday did
14 not work. I think he's trying to join for public
15 comment. Yeah. He's the attorney for Cobb. I just got
16 an email.

17 CHAIR FERVIER: Okay.

18 MEMBER GRUBBS: I think -- I think he was
19 needing a link maybe.

20 CHAIR FERVIER: He needs -- he needs a link to
21 access it.

22 MEMBER GRUBBS: Unless I'm looking at an old
23 email.

24 CHAIR FERVIER: He's just watching.

25 MR. MILLS: I think that -- I think that was

1 yesterday he was on Zoom, but.

2 MEMBER GRUBBS: Okay. Just wanted to be sure.

3 MR. MILLS: Let -- let's go ahead and hear
4 right now from Dr. Konrad.

5 I think we have you on Zoom.

6 DR. KONRAD: Yes. Good morning. It would be
7 a gross lie -- violating my physician's oath to say that
8 the measles vaccine or Tylenol cause autism. Lying
9 kills. As a military officer, I swore an oath to defend
10 and uphold the constitution. I've studied and seen
11 firsthand how extremists work to kill democracy in
12 Haiti, Peru, and Iraq.

13 But yet a convicted felon has -- has convinced
14 his devotees and minions and sometimes even very
15 well-meaning individuals of the big lie immigrants stole
16 the 2020 election and that non-citizens have ever voted
17 in numbers that swung an election.

18 Indeed, analysis of the right-leaning Heritage
19 Foundation's data looked at -- since that -- since 1980,
20 there were just 68 cases of actual non-citizen vote
21 casting. A Brennan Center analysis of about 23.5
22 million votes in 42 jurisdictions in 2016's election
23 found 30 non-citizen cases referred for investigation,
24 though not necessarily found at fault -- a whopping
25 0.0001 percent of the votes. Some appear to have been

1 unlawful residents misinformed by a government official
2 they were eligible to vote.

3 Ronald Reagan said, There are no degrees of
4 honesty. And that quote -- if we have integrity to do
5 what is right, freedom will not only survive, it will
6 triumph.

7 MR. MILLS: 20 seconds.

8 DR. KONRAD: Who will tell a high school
9 student that, Yes --

10 MR. MILLS: 20 seconds.

11 DR. KONRAD: Yes. A few extremists. And I
12 hope we dismiss them and educate them. No large vote
13 has been switched by immigrants at any time. Thank you.

14 MR. MILLS: Thank you, Dr. Conrad.

15 CHAIR FERVIER: I want to clarify something
16 real quick. The sign-up list is closed at this point.
17 We've added who is going to speak. And anybody that's
18 watching online, the people that are speaking online
19 were here yesterday and were able to sign up on the list
20 and were not able to make it today. So we allowed them
21 the opportunity to speak via Zoom. So anybody watching
22 via Zoom, we're not adding any more to the list at this
23 point.

24 MR. MILLS: Thank you, Mr. Chairman. The next
25 person, I believe, on Zoom is -- oh, we don't -- did --

1 Mandy Schultz, are they still on?

2 MS. SCHULTZ: I'm here, but I was able to make
3 it in person. But I signed up physically. So I can
4 just wait my turn. I don't --

5 MR. MILLS: Okay. I'm sorry. Are you Mandy
6 Schultz?

7 MS. SCHULTZ: That's me.

8 MR. MILLS: Okay. Yeah. If you --

9 MS. SCHULTZ: You want me to come up?

10 MR. MILLS: Yeah.

11 MS. SCHULTZ: Okay.

12 MR. MILLS: If you'll come on forward. That's
13 okay.

14 CHAIR FERVIER: Let's make her go on Zoom.
15 You have to go on Zoom.

16 (Laughter.)

17 MS. SCHULTZ: I got my laptop.

18 CHAIR FERVIER: Oh, please.

19 MS. SCHULTZ: I didn't know what was going to
20 happen, so I was prepared for it all.

21 MR. MILLS: You're fine. You may begin,
22 Mandy.

23 MS. SCHULTZ: All right. Good morning. My
24 name is Mandy Schultz, and I am a Fulton County voter.
25 This board claims to champion transparency and -- and

1 protect Georgia's elections. And over the past morning
2 I heard words like sunlight and election integrity.

3 So let's talk about that and what's actually
4 happening. Two members of the board, Vice Chair
5 Johnston, Janelle -- Member King, served as FBI
6 witnesses and the board was simultaneously in active
7 litigation to obtain the exact same materials the FBI
8 sees from Fulton County's warehouse. They didn't want
9 to pay court county costs or wait for due process, so
10 they worked around it. That is not transparency. That
11 is a raid laundered through federal agencies. Then Vice
12 Chair Johnston and Member Grubbs went on Steve Bannon's
13 War Room to celebrate before the facts were even public.

14 The SEB already investigated these same Fulton
15 County claims in 2024 and found no fraud, no
16 malfeasance, nothing. But now there are new members, so
17 we're doing it again and again. That is not oversight.
18 That is a vendetta.

19 And this board is still leaving the door open
20 to take over Fulton County elections. So let's talk
21 about who would actually be making that call. The same
22 Vice Chair Johnston who cited rules requiring three zero
23 tapes when the rules she was citing only requires one.
24 The same Member King who called poll tapes the holy
25 grail and swore under oath that provisional and absentee

1 ballots are different. They aren't. They're literally
2 the same piece of paper.

3 Some of y'all don't understand how elections
4 are run, or you do and you don't like the results.
5 Remember, King's husband is running for Secretary of
6 State. And congratulations. But she can't vote to take
7 over Fulton County elections when her husband is on that
8 ballot. Full stop.

9 And the conflicts don't end there. Vice Chair
10 Johnston --

11 MR. MILLS: 15 seconds.

12 MS. SCHULTZ: -- found the Inspector General
13 to have committed ethical violations and was still
14 collecting 30 K in donations from election officials who
15 answers to this board, which is like a judge accepting
16 money from defendants. Member Grubbs holds a leadership
17 position in the Georgia Republican Party while serving
18 on this board. That's not a potential conflict.

19 MR. MILLS: Your time has expired.

20 MS. SCHULTZ: That's a guaranteed one. Can I
21 just ask you this?

22 MR. MILLS: Your time has expired.

23 MS. SCHULTZ: Fulton County voters --

24 MR. MILLS: I'll say it again.

25 MS. SCHULTZ: -- deserve better than a board

1 using --

2 MR. MILLS: Your time has expired.

3 MS. SCHULTZ: -- our elections as a political
4 proving ground.

5 CHAIR FERVIER: Thank you.

6 MR. MILLS: Okay. Let's see. I believe Ms.
7 Jean Dufort.

8 MS. DUFORT: Good morning. And as the chair
9 of the Morgan County Dems, I want to take a minute to
10 thank you for what I witnessed towards the end of your
11 meeting last night. Those three ladies who tried to
12 register those senior citizens, they were my people.
13 They were my volunteers. And I want to thank you for
14 the understanding you you offered those volunteers, who
15 were trying their best to follow the law and got caught
16 up in these ever-changing laws.

17 You know, they locked those ballots directly
18 from that scene, that -- that assisted living facility
19 one, maybe one and a half miles past my office to our
20 election office and handed them to the election
21 director. So there was no intent for malfeasance. And
22 I want to really appreciate the way that -- that you
23 handled that, and I thank you.

24 But I would ask today -- you've heard the
25 statement, Justice delayed is justice denied, right? I

1 think we all grew up with that. Since the current
2 configuration of our Dominion Voting System -- was put
3 into place, something like 20 million votes have been
4 cast in Georgia. And far too many of those people have
5 had their rights under the law denied. They've been
6 subject to ballot secrecy violations, which you've
7 acknowledged from the dais that not one of them has been
8 able to read the vote that they cast as the law requires
9 because of that QR code.

10 We don't ever count -- rarely ever count the
11 printed text. So we don't even need to go into how the
12 voters verify and how much can they train them to
13 because that's not the vote. The vote is in the QR
14 code. 20 million violations have happened on your
15 watch, not you personally, but your body's watch.

16 MR. MILLS: 20 seconds.

17 MS. DUFORT: So justice delayed is justice
18 denied. I urge you today before the meeting closes to
19 make a resolution to find the violations that are
20 ongoing, to announce that the back-up balloting system
21 is the right way to conduct elections until the
22 legislature can formally address and find a permanent
23 solution. That is the law.

24 MR. MILLS: Time has expired.

25 MS. DUFORT: Please follow it.

1 MR. MILLS: Thank you. Next is Marla Tepper.
2 Is she here?

3 VICE CHAIR JOHNSTON: She's not here. I think
4 she sent in written comments.

5 MR. MILLS: Okay. Marla Tepper. Do we have
6 -- we didn't get a written. We -- we'll check and see.
7 I'll move on to the next.

8 Janet Grant?

9 MS. GRANT: My name is Janet Grant. I'm a
10 resident of DeKalb County, where I serve as an area poll
11 manager. Just since the January SEB meeting, I have
12 been alarmed by the avalanche of threats to our
13 elections. In addition to the FBI raid, we saw that
14 majority members on this board -- trumpeting it on Steve
15 Bannon and other right-wing podcasts, as well as
16 publicly calling for a takeover of Fulton County
17 elections -- and heard threats from our president to
18 nationalize election administration and the placement of
19 ICE agents outside polling places.

20 While a recent AJC poll demonstrated that more
21 than 80 percent of Georgians have a strong confidence in
22 our elections for 2026 and only 6 percent do not, these
23 recent events and the role of -- being played by members
24 of this board are undermining that confidence just as we
25 go into a major midterm election year.

1 2020 was a very challenging year for all of us
2 that participated in elections, implementing a new
3 complex election system in the middle of a pandemic in
4 which many experienced poll workers refused to work. As
5 a new poll worker and manager, I also had an entirely
6 new team and a new location.

7 And the positive election operational changes
8 since then cannot be overemphasized. With the support
9 of the DeKalb board, the County Commission, departmental
10 leadership changes, and investment and staffing and
11 equipment, our election system today is literally
12 unrecognizable from 2020. And I believe that's no
13 different in Fulton County. From what I've learned in
14 speaking with Fulton County peers, they're also
15 continuously improving operations. And this has been
16 borne out in independent reviews conducted in '22 and
17 '24. It is time to move on from 2020 and focus on what
18 this board can do to support all counties --

19 MR. MILLS: 15 seconds.

20 MS. GRANT: -- and serve the Georgia voters in
21 2026. Thank you.

22 MR. MILLS: Thank you. Gomez-Leineweber. Is
23 he here?

24 Okay. You're coming.

25 MR. GOMEZ-LEINEWEBER: Thank you. Good

1 morning, chair members of the SEB. My name is Kyle
2 Gomez-Leineweber, and I'm speaking on behalf of Common
3 Cause Georgia and our more than 15,000 members across
4 the state who care deeply about fair, secure, and
5 accurate elections.

6 I want to first recognize Georgia's election
7 workers, including those in Fulton County, who continue
8 to serve voters under increased intense scrutiny and
9 pressure. Across Georgia, election professionals have
10 faced conspiracy theories, harassment, and even threats
11 of political violence simply for doing their jobs.
12 These are public administrators and neighbors working to
13 ensure eligible Georgians can participate in our
14 democracy.

15 Today, a few members of the SEB expressed
16 support to the recent FBI raid seizing Fulton's 2020
17 election materials. Looking ahead, we urge attention to
18 downstream effects of this moment and caution as the SEB
19 considers future steps. As Georgia moves towards the
20 2026 election cycle, Fulton County will again play a
21 central role in administering elections in Georgia's
22 most populous county. Uncertainty and resource division
23 caused by an unprecedented state intervention could
24 introduce confusion and operational risk at precisely
25 the moment when stability and clarity are most needed.

1 The State Election Board is charged to obtain
2 and maintain uniformity in the practices and proceedings
3 of superintendents and to ensure compliance with Georgia
4 Election Law. Strong, evidence-based oversight
5 consistent with that statutory role is essential to
6 maintaining public confidence.

7 The purpose of state oversight as contemplated
8 in the statute is to improve performance and support
9 successful election administration. Georgia voters are
10 best served when experienced local officials are
11 equipped to do their jobs effectively --

12 MR. MILLS: 15 seconds.

13 MR. GOMEZ-LEINEWEBER: -- and when any state
14 action is narrowly tailored, evidence-driven, and
15 focused on measurable improvement. The question is not
16 whether -- the question is not whether Georgia will have
17 oversight, it's whether that oversight strengthens --

18 MR. MILLS: Time has expired.

19 MR. GOMEZ-LEINEWEBER: -- the administration
20 or destabilizes it when voters are counting on the
21 system to work. Thank you.

22 CHAIR FERVIER: Thank you.

23 MR. MILLS: Thank you. All right. Marissa
24 Pyle.

25 MS. PYLE: Hi, board members. Where to start?

1 Maybe let's start with the fact that two members of this
2 board served as witnesses for the FBI's warrant to seize
3 Fulton County's ballots while the board itself, as
4 mentioned previously, was already in active legal
5 proceedings to get those same materials within the
6 confines of law.

7 Or else that both members relied on
8 misconstruction, mis-contortions, and disinformation in
9 the information that they provided to the FBI,
10 characterizing missing records as potentially criminal
11 intentional acts, vastly mischaracterizing the roles of
12 election documents and raising allegations that have
13 already been found to be unsubstantiated in
14 investigations and cases before this very board.

15 Next, let's touch on the egregious behavior by
16 members of this board during media appearances since the
17 raid. One member appeared on Steve Bannon's War Room in
18 her SEB role with a Trump flag in her background. Both
19 members appeared on Bannon's show from the raid. Local
20 conspiracist media and shows including LindellTV, run by
21 billowing conspiracy theorist salesman Mike Lindell.

22 Concerningly, in media appearances, two
23 members made untrue statements about Fulton County
24 officials' actions, attributing partisan motives and
25 claiming that the officials blocked them from observing

1 the raid. Fulton County Police Department body footage
2 -- body camera footage, which I watched, captured
3 instructions given by the FBI contradicting this. FBI
4 officials forbade anyone except law enforcement, the
5 clerk of court, and the Fulton County Elections Director
6 personally, refusing the Fulton County Commission Chair,
7 Board of Elections Chair, and the county attorney access
8 to observe the scene.

9 MR. MILLS: 20 seconds.

10 MS. PYLE: Did either SEB member inquire as to
11 who made those decisions before making those statements?
12 These statements call into question the board's ability
13 to adjudicate matters regarding Fulton County and
14 anything resembling an impartial role. Despite what
15 members seem to believe, the votes of millions of
16 Georgians are not a toy to be broken out of impotent and
17 childish frustration when --

18 MR. MILLS: The time has expired.

19 MS. PYLE: From chasing garbage trucks to
20 collaborating with federal --

21 MR. MILLS: Your time has expired.

22 MS. PYLE: This board that's six years in the
23 past at the expense of everyone else.

24 MR. MILLS: Your time has expired. Okay.
25 Let's see. Adam Salo or Salom? I can't make it out.

1 Adam, are you here? Okay. Ben Hendrick --

2 MEMBER GRUBBS: Is not here.

3 MR. MILLS: Ben is not here. Rachel Glover.

4 MS. GLOVER: Good afternoon. My name is
5 Rachel Glover, and I'm the associate director at the
6 ACLU of Georgia's Voter Access Project, which works to
7 ensure that voting is accessible for all Georgians and
8 that Georgians have trust in the electoral process.

9 I'm here because Georgia voters deserve
10 confidence in their elections. The only clear outcome
11 of the continued investigation into Fulton County and
12 the 2020 election is a loss of public trust, not because
13 voters doubt the legitimacy of the 2020 results. Those
14 results have been reviewed, recounted, audited, and
15 upheld time and time again. There is no credible
16 evidence of widespread fraud. Continuing to re-litigate
17 from them weakens rather than strengthens our democracy.

18 Public confidence is now eroding because
19 voters fear their personal information is being -- is
20 not being kept confidential. The seizure of ballots and
21 election materials from the Fulton County elections
22 warehouse raises serious questions about voter privacy,
23 transparency, and whether proper procedures are being
24 followed.

25 Voters have the right to know that their

1 personally-identifiable information, including voter
2 rolls, poll books, absentee ballot envelopes, and
3 provisional ballot records is being handled lawfully and
4 securely. Yet these materials have been removed from
5 the secured county warehouse, and that is deeply
6 troubling.

7 Across the political spectrum, Georgians are
8 alarmed. Removing election records under these
9 circumstances sends a dangerous message that private
10 voter information may be exposed or misused. That fear
11 alone can discourage participation. And when voters are
12 discouraged, democracy suffers. The right to vote is
13 the cornerstone of our democracy. Protecting voter
14 privacy is essential.

15 MR. MILLS: 20 seconds.

16 MS. GLOVER: I implore you to put Georgia
17 voters first, safeguard their information, follow
18 established procedures, and build trust, not undermine
19 it. Every eligible Georgian -- Georgian deserves to
20 vote securely. Voting is a right. Thank you.

21 MR. MILLS: Thank you. Victoria Cruz.

22 MS. CRUZ: Hi. I am Victoria, citizen of
23 Oconee County. I just want to thank the board. I
24 appreciate the frank discussions that you had today. I
25 know it was uncomfortable at times, but fully in

1 compliance with the meaning of open meetings. No closed
2 door discussions should be allowed. Any -- any
3 uncomfortable discussions should be taking place in
4 public, and I appreciate that.

5 Okay. So the Constitution or the Declaration
6 of Independence said, Governments derive their just
7 powers from the consent of the government -- of the
8 governed, rather. Americans give and withdraw their --
9 that consent through elections. If we lose our ability
10 to withdraw our consent, then we've lost the very
11 essence of being a democratic republic.

12 Our votes need to be handled with the same
13 concern and caution as banks treat investors' money, and
14 they're not being treated that way. From the number of
15 cases seen yesterday, there are -- there were so many
16 complaints due to procedural -- deviations from
17 procedure.

18 The -- the people from Jones County who had so
19 many things that went wrong, and then Dr. Johnston
20 asked them if -- wouldn't it be easier if there were
21 paper ballots. For that election director to say
22 adamantly, No, maybe she feels better with the machines,
23 but the rest of us don't when we know that so many
24 things are going wrong. And one side, one political
25 party is not the only one that deserves confidence in

1 our elections. Some numbers were put out there that --

2 MR. MILLS: 20 seconds.

3 MS. GLOVER: -- 80 percent were happy with the
4 elections here. Well, I can tell you, a lot of people
5 that weren't Democrats are not happy with the elections
6 and they are losing trust in the -- in the elections and
7 may not vote. That may be a desired consequence, but
8 it's up to the State Election Board to listen to both
9 sides equally and follow the --

10 MR. MILLS: Time has expired.

11 MS. GLOVER: -- the evidence and do the right
12 thing.

13 MR. MILLS: Thank you. Gail Lee.

14 MS. LEE: Gail Lee. First, I want to thank
15 this board for being the one body that has taken the
16 concerns of Georgia's citizens seriously concerning
17 election integrity. You have not only made repeated
18 attempts to address the issues of election and voter
19 roll irregularities, but you have persisted despite
20 vocal legal opposition and threats. So, thank you.

21 Yesterday, this board touched on an area of
22 our election laws that has troubled me for some time.
23 There is an inconsistency between online and manual
24 registration applications to vote. An applicant whose
25 paper Voter Registration Application contains the name,

1 driver's license number, date of birth, or Social
2 Security number. That does not agree with DDS or Social
3 Security records under 21-2-220.1(b), quote, "Shall
4 nevertheless be registered to vote but shall we require
5 to produce proof of his or her identity at or before the
6 time that such applicant requests a ballot for the first
7 time." What -- unquote.

8 What can used to prove the identity other than
9 the usual ID? (c) says, Simply showing a utility bill,
10 blank -- or bank statement, paycheck, et cetera. No
11 proof of date of birth, driver's license number, or
12 Social Security number is required. Just name and
13 address. No one -- or we can't find who -- gets
14 deceased.

15 But if application is made online with the
16 same non-matching data, the application is to be
17 rejected according to 21-2 through 21.2 --

18 MR. MILLS: 15 seconds.

19 MS. CRUZ: (c)3. It seems to be the
20 consequences of this match in both methods -- the
21 consequences of a misdemeanor under both methods should
22 agree. Thank you.

23 MR. MILLS: All right. Richard Schroeder.

24 MR. SCHROEDER: So thank you. Thank you,
25 board. Oh, you've come so far. I got to dust off our

1 Bibles and let you know what Lord has to say about our
2 elections here.

3 In the beginning, God created heaven and the
4 earth. And then in 26 and 28, he reiterated it twice.
5 You know, like, when he says, Rejoice again, I say
6 rejoice. It's important. When he says, I give man all
7 dominion over all the earth. Two times, God gives us
8 dominion.

9 The first book, the first chapter, and the
10 first page of the Bible, I think it's pretty important.
11 Then we get this machine in place where we supposedly
12 vote on it and we have no clue. Is that my vote --

13 So we're trying to get SAVE act passed. We
14 got two Democrats, senators. Georgia has two Democrat
15 senators who have voted ridiculously to a normal person
16 in Georgia, because normally, Georgia would be
17 Republican. But because of the voting system, they
18 stole our dominion. We have to get our dominion back.

19 And I -- I thank you, the Coalition of Good
20 Governance. We're down there. Oh, Garland, Tamara,
21 Sandra, Arlene, me, we're down at the Curling trial.
22 And Haldeman swapped the vote right in front of that
23 Judge Amy Totenberg on the second Thursday. And she
24 should have ended it right there. We can't use these
25 machines that are so vulnerable. It's ridiculous.

1 That's why we're not in a voting booth anymore. All you
2 got to do --

3 MR. MILLS: 20 seconds.

4 MR. SCHROEDER: It's on page -- it's on page
5 46. All you got to do is put the hold button on and you
6 can change everything right on the setup page. That's
7 why we're not in a booth anymore. So let's get rid of
8 the machines and help President Trump go to paper
9 ballots on the day of elections. Thank you for your
10 brave and courageous efforts this time.

11 MR. MILLS: Time has expired.

12 CHAIR FERVIER: Mr. Schroeder, you may regret
13 this, but I want to let you know I appreciate our
14 conversation today.

15 MR. SCHROEDER: If you notice, I didn't call
16 your resignation today.

17 CHAIR FERVIER: I don't -- I don't -- and I --
18 (Laughter.)

19 CHAIR FERVIER: I appreciate our conversation
20 today. Thank you.

21 MR. SCHROEDER: I have all the reports here.
22 Any page out of the 60 pages should throw our Dominion
23 machines out. Help yourself.

24 MR. MILLS: Okay.

25 MR. SCHROEDER: And read it.

1 MR. MILLS: Time has expired. I'm sorry.

2 MR. SCHROEDER: Time is expired?

3 MR. MILLS: Thank you, Mr. Rich. Let's see.
4 Brian Parker.

5 MEMBER GRUBBS: He's not here.

6 MR. MILLS: Okay. Eileen Schroeder.

7 MS. SCHROEDER: I yield my time to Richard
8 Schroeder.

9 CHAIR FERVIER: Let him. Let him do it.

10 MR. MILLS: The chairman says, Let him do it.

11 MR. SCHROEDER: You and I getting along good
12 now, aren't we?

13 CHAIR FERVIER: We're close.

14 MR. SCHROEDER: I'm not done, though.
15 President Trump's attempting to pass the SAVE America
16 Act. In part, that will require electors to show a
17 voter ID. This is very popular with a majority of the
18 people who vote, but not so popular with Warnock and
19 Ossoff, our illegitimate Democrat senators.

20 This important bill could die at the hands of
21 our state senators. Yes, President Trump is probably
22 watching this. He's very concerned about Georgia
23 elections. I want to work the elections and the
24 midterms. I had to quit my poll worker job because I
25 have this book, and I know it.

1 And by the way, 3-34 says, The superintendent
2 in each county can go to the paper ballots if it's
3 impractical. If you have been involved in any of these
4 challenges of -- with the Dominion machines and the
5 voter rolls, you know it's impractical.

6 Here's the new voter -- and thank you for
7 that. 2022, Hall County was 110 percent more than the
8 voter-eligible people, but now it's 111 percent. And
9 here they are making improvements to the system. No.
10 This is ridiculous.

11 And so if there's any problems with the voting
12 process, the Secretary of State has an obligation. If
13 there's any problem, he has to immediately revoke the
14 Dominion machines and never use them again in the state.
15 This is 368. Come on. Let's use the law book.

16 You know, I had a shirt on with a password,
17 the password to the Dominion machines. And look at
18 this. I brought it up before the -- I didn't tell you
19 what it will do. The electorate --

20 MR. MILLS: 20 seconds.

21 MR. SCHROEDER: The electric management system
22 will create ballots, generate ballots, standard memory
23 cards, compute the tabulated results, perform other
24 election functions. And it's just the next page. It
25 says, Must be password protected, password locked at all

1 times.

2 MR. MILLS: Your time has expired, Mr.
3 Schroeder.

4 MR. SCHROEDER: It's the book. Read the book
5 and let's put it into place. I want to work this
6 election. I don't want to keep losing to fraud and --
7 proceed. Thank you.

8 CHAIR FERVIER: MR. Schroeder, thank you for
9 your service in the United States Army.

10 MR. SCHROEDER: God bless you.

11 CHAIR FERVIER: Thank you.

12 MR. SCHROEDER: I think Trump's going to be
13 coming.

14 MR. MILLS: Y'all need to go have lunch
15 together, I think.

16 MR. SCHROEDER: That's great. That's great.

17 MR. MILLS: Cindy Panos (phonetic) is next.
18 Cindy Panos?

19 Sandra Burchardt.

20 CHAIR FERVIER: Burchardt.

21 MR. MILLS: Burchardt. I'm -- I mispronounce
22 it every time. I'm sorry.

23 CHAIR FERVIER: You can pray for him to get it
24 right, but he's not going to do it. So it's --

25 MS. BURCHARDT: My name is Sandra Burchardt.

1 I am a woman of prayer. I am passionate about truth and
2 justice. For years, I have prayed for truth and
3 justice. I know my vote does not count, and I've done
4 everything in my power that it might change in this
5 state.

6 And I want to thank everyone for being so
7 involved. Salleigh Grubbs, you're amazing. You've been
8 equipped, and I thank God for your courage. James
9 Miller -- Mills, I'm sorry -- the words you speak bring
10 truth and light forth. Thank you for being faithful and
11 allowing public comments because the man before you did
12 not allow them. That took courage.

13 Dr. Johnston, I have prayed for with you and
14 it has been an honor and a privilege to see the way the
15 truth is being brought to life. And then we have
16 Janelle King. What a wonderful addition. Purchasing
17 your time so -- presenting time so that --

18 And then we have Hope Coan. Thank you, God.
19 I feel like you -- these people have been answer to
20 prayer for truth and justice and its coming forward. So
21 today, I have my hat on so that I can take it off on all
22 of you for your efforts. Thank you.

23 MR. MILLS: Thank you, Ms. Sandra, for your
24 encouragement to everyone. Thank you.

25 Beth Hendrickson. Not here. Evelyn Johnson.

1 Not here. Jay Augustine. Not here. Maria Gaudia?

2 CHAIR FERVIER: Gaudio.

3 MR. MILLS: Gaudio. Not here. Janet Hill.

4 Not here. Joseph Kirk.

5 MR. KIRK: Thank y'all very much for letting
6 me speak. I wasn't planning on it after. There were
7 some lingering questions, so I thought I'd just go ahead
8 and answer them while I was here. So I appreciate the
9 opportunity. It will be brief.

10 So what Firefly is, it's a training -- it's a
11 communications platform, full sets of communications
12 between state and counties. Some -- the county offices
13 have access to it for that purpose. Not every office
14 employee has access. Not every official has access to
15 that system. And GAVREO's organization does not access
16 that system. Some -- some of our members do through
17 their role as election administrators.

18 But there's nothing specific about GAVREO in
19 Firefly to link besides some role training materials
20 from conferences on there for folks to reference.
21 Because that's -- the Secretary of State uses that as
22 team education each year for election certification.

23 As far as regional meetings go, yes, those
24 happen. Those are through GAVREO. We have, I believe,
25 14 different regions across the state. They meet -- it

1 depends which region we're talking about, how often they
2 meet. The facilitators invite the speakers to those
3 meetings. If -- if any of y'all are interested in
4 coming to -- to one or more of them, please let me know.
5 I'll communicate it to them.

6 CHAIR FERVIER: One second. Give him five
7 extra seconds. I want to clarify this because I think I
8 learned this. GAVREO has a separate system that they
9 use to communicate with your members, right?

10 MR. KIRK: Yes. That's absolutely true.

11 CHAIR FERVIER: Okay.

12 MR. KIRK: So we have our own website as well.

13 CHAIR FERVIER: Which -- you have -- you have
14 your own system outside that you're communicating with
15 members with, right?

16 MR. KIRK: Absolutely. The Secretary of State
17 --

18 CHAIR FERVIER: Okay. That -- that's all.
19 That's all.

20 MR. KIRK: -- you got a state problem,
21 we're -- we're --

22 CHAIR FERVIER: Okay. That's all. That's
23 all. That's all. That --

24 MR. KIRK: Absolutely. So there are
25 reasonable means. If y'all would like to come to those,

1 please do let me know. I can let the facilitators know
2 and they can communicate about that as these come up.
3 We probably getting in the near future -- because of the
4 upcoming conference next month.

5 The -- but we do have our own websites. And
6 that's a new thing in the last year or so for us right
7 now. The only folks on there are our members. And our
8 current definition of -- for membership is county
9 election administrators, people in the office, not
10 necessarily poll workers. Nobody at the state level.

11 So there's no state board or agencies on there
12 right now or state employees. But it's -- we're looking
13 at it from the future. We haven't have time to address
14 that yet -- to give limited access to --

15 MR. MILLS: You have 15 seconds.

16 MR. KIRK: And if -- but if there's anything
17 you want to communicate to the members, if you don't
18 mind sending it to me, I'm happy to post that for you.
19 And then once we actually have the times down to talk
20 about it as a board, as an organization, we'll be happy
21 to bring other folks in on the basis.

22 MEMBER GRUBBS: Mr. Kirk?

23 MR. KIRK: Yes.

24 MEMBER GRUBBS: Is GAVREO a union?

25 MR. KIRK: No.

1 VICE CHAIR JOHNSTON: I believe GAVREO used
2 Firefly to coordinate opposition to citizen petitions
3 for rules in 2024. Is that true?

4 MR. KIRK: There is a system or a -- one of
5 the things on Firefly is called the Buzz. It's a
6 messaging board. And anyone with access can post stuff
7 there. That's an easy way to send stuff out to
8 everyone. So I'm sure there was stuff posted on there
9 about that. I've been through all of our emails as
10 well. So anything posted -- any emails available
11 requested that way. But I couldn't think specifically
12 what was said or -- that was a while -- while back.

13 MEMBER GRUBBS: Mr. Kirk, how do you feel
14 about the board having access to Firefly?

15 MR. KIRK: It's not my system to comment on,
16 but I can tell you from having access, there's nothing
17 earth shattering on there.

18 MEMBER GRUBBS: Well, I don't -- I'm not
19 looking for earth shattering. I'm just -- information.

20 MR. KIRK: I -- again, I don't think it's
21 appropriate for me to comment on that. But as far as
22 our systems go, it's just -- and we're discussing, you
23 know.

24 MEMBER GRUBBS: It's more what?

25 MR. KIRK: It's something more specific we can

1 -- within an organization for our system.

2 VICE CHAIR JOHNSTON: Did you understand that?

3 MEMBER GRUBBS: No.

4 VICE CHAIR JOHNSTON: No.

5 MR. KIRK: Sorry. I talk too fast. As far as
6 our system goes, GAVREO websites, we're looking at -- at
7 that and letting other folks into that -- state
8 officials, again, on -- on a limited basis because
9 they're technically members. But I don't think it's
10 right for me to comment on someone else's system and who
11 should have access to it.

12 CHAIR FERVIER: Could you get that?

13 MEMBER GRUBBS: Well, the -- okay. I got
14 that.

15 CHAIR FERVIER: Okay.

16 MEMBER GRUBBS: Thank you. The reason why I
17 asked is because in the email from Ms. McGowan, she's
18 saying that other people -- election officials would
19 feel intimidated if we had access to see what was going
20 on. Which, you know, you're an election official, so I
21 just thought I would get your opinion.

22 MR. KIRK: That's fair. And maybe a better
23 response would be -- because I'm sure I was speaking too
24 fast before. In most cases, anything posted to the Buzz
25 is -- is -- when it's working, comes through to our

1 emails as well. So pretty much anything on there is
2 public record.

3 VICE CHAIR JOHNSTON: Mr. Kirk, are those
4 emails subject to open records request?

5 MR. KIRK: Absolutely.

6 MEMBER GRUBBS: My understanding is, no one's
7 been able to get those emails.

8 MR. KIRK: No. I mean, I've responded to open
9 -- I saw a (indiscernible).

10 MEMBER GRUBBS: Thank you.

11 MEMBER KING: What's the date and time --
12 what's the date, time, and location that that came from?

13 MR. KIRK: Oh. That's -- we -- oh, the -- our
14 annual conference is March 1st -- March 22nd. As far as
15 the other meetings within the organization, I can check
16 on it.

17 MEMBER KING: It's March 22nd?

18 MR. KIRK: Uh-huh.

19 MEMBER KING: Where? Where is it?

20 MR. KIRK: That's in Athens. And something on
21 my list just to talk to you all the later about, if you
22 want to attend. So if you -- if that's something you're
23 interested in, happy to have that conversation.

24 MEMBER GRUBBS: Can you put it on your mailing
25 list, your email distribution?

1 MR. KIRK: There's not an email distribution
2 list. It just goes out with the membership website.

3 MEMBER GRUBBS: Oh.

4 MR. KIRK: That's part of the issue we had
5 personally when we took that step was we didn't have a
6 distribution list.

7 VICE CHAIR JOHNSTON: Mr. Kirk, could you send
8 an invitation to everyone on the board to that meeting,
9 please?

10 MR. KIRK: Yeah, sure. Well, it's more of a
11 conference than the meeting, but yes.

12 MEMBER KING: Yeah. I would like to hear it.
13 I mean, I think we all would like to know more about
14 your -- from your vantage point.

15 MR. KIRK: Absolutely.

16 MEMBER KING: So.

17 MR. MILLS: Yes. Have you already invited the
18 chairman?

19 MR. KIRK: No. I've not invited anyone yet.
20 Last year -- issued to the chairman directly. But your
21 investigator's lawyer reached out. I think we already
22 set up for -- for them to attend.

23 VICE CHAIR JOHNSTON: Do, do you invite the
24 Secretary of State personnel?

25 MR. KIRK: The Secretary of State's personnel

1 are involved because it's used as their continuing
2 education each year for the Election Certification
3 Program. The original certification goes through --
4 it's online through Firefly, currently. And they are
5 getting a new system. But right now that's through
6 Firefly. So they actually do teach some of the classes.
7 We have some outside presenters and then there's county
8 -- people from the county offices.

9 MR. MILLS: I know our two investigators are
10 coming, and I think you waived the conference fee.

11 MR. KIRK: Oh, absolutely.

12 MR. MILLS: And I say thank you for that.

13 MR. KIRK: Well, if any of y'all are coming,
14 we do the same thing for you.

15 MEMBER KING: Thank you.

16 VICE CHAIR JOHNSTON: Thank you. Does GAVREO
17 have lobbyists?

18 MR. KIRK: We do.

19 VICE CHAIR JOHNSTON: How many?

20 MR. KIRK: Two. Well, it's one contract, two
21 people.

22 VICE CHAIR JOHNSTON: And what did they lobby
23 for?

24 MR. KIRK: The way I always try -- this is
25 more education of implications of bills. We do have a

1 legislative policy stance this year. Can't remember if
2 I sent it to y'all or not, but I'm happy to send it to
3 you. It's the delayed limitation of -- should we keep
4 our ballots until next year just to have time to do it.

5 There -- if we wanted to do it, we had to
6 start last year. Some stuff about special elections,
7 pulling back on advancement requirements and looking at
8 different opportunities -- put on election day. And
9 there's one last that thing that I'm just drawing a
10 blank on, but. Like I said, happy to send it to you.

11 MR. MILLS: Thank you very much.

12 CHAIR FERVIER: Well, you had more than your
13 two minutes.

14 MR. MILLS: You started it, Mr. Chair.

15 CHAIR FERVIER: I did. I -- my fault. My
16 fault.

17 MR. KIRK: I was talking fast.

18 CHAIR FERVIER: Yeah.

19 MR. KIRK: That's right. Trying to be slick.

20 CHAIR FERVIER: My fault, so I accept the
21 blame.

22 MR. MILLS: All right. Next, I think, is --

23 VICE CHAIR JOHNSTON: We think you should come
24 back again and we'll have more questions.

25 MR. MILLS: David Ramsey.

1 MR. RAMSEY: Good day, ladies and gentlemen.
2 I am David Ramsey. I'm from Madison County. I'm a
3 farmer. And I hear that you're contemplating a takeover
4 of the elections process in Fulton County. I'm from
5 Madison and -- and I have a lot of respect for my Board
6 of Elections. If -- if that was contemplated for our
7 county, this room would be packed.

8 But I think you should be considering a couple
9 of things if you're going to do -- have more discussion
10 about the takeover. One is the legality of it. I think
11 that would be a challenged, of course, in court. And
12 you've had a lot of challenges in court. You haven't
13 won too many of them. So I wish you would think about
14 that.

15 And secondly, I think you should put some
16 thought into what's going to happen if you undertake the
17 discussion and decision in the absence of rules and
18 regulations and evidence that you will need to make a
19 positive decision about the takeover.

20 So please give this some consideration. I
21 don't want anybody to be embarrassed. I don't want this
22 board to be embarrassed. I don't want any of our
23 counties to feel that they're going to have any type of
24 embarrassment or difficulty because of this kind of
25 action. And since this is a precedent, it needs a lot

1 of thought. Thank you.

2 CHAIR FERVIER: Is that an Army head?

3 MR. RAMSEY: Sir?

4 CHAIR FERVIER: Is that an Army hat? I can't

5 --

6 MR. RAMSEY: Yes, sir, it is.

7 CHAIR FERVIER: Can you -- thank you for your
8 service.

9 MR. RAMSEY: Sure. I'm a Vietnam veteran, and
10 I served and would give everything to have these rights
11 remain with our citizens.

12 CHAIR FERVIER: You need to meet this
13 gentleman right over there. Another veteran -- Vietnam
14 veteran, so.

15 MR. RAMSEY: Sure.

16 VICE CHAIR JOHNSTON: Thank you for your
17 service.

18 MR. MILLS: Thank you. And Tamara Favorito.

19 UNIDENTIFIED SPEAKER: She's out in front.

20 MR. MILLS: Okay. Garland Favorito?

21 MR. FAVORITO: Yeah. In case I run out of
22 time. Thank you. On Monday, I filed my first SEB
23 complaint in 20 years. So you know that it must be
24 important. Unfortunately, the two people who needed to
25 hear the complaint, Chairman Pitts and Chairman Allen,

1 just walked out about five minutes ago.

2 Fulton County repeatedly and illegally refused
3 to provide an electronic copy of the 2020 general
4 election ballots that the FBI now has. In my 2024 and
5 2025 open records request, Fulton clerk and Election
6 Division -- Division officially replied four times that
7 they had no such ballots. This is after we had an
8 active order to preserve and unseal the ballots and
9 after the two-year ceiling requirement on the ballots
10 had legally expired.

11 On July 10th, 2024, the elector's division --
12 Marissa -- Marissa Pison replied, There are no
13 responsive documents to your request. On November 15th,
14 2024, the clerk replied, No such documents exist in the
15 requested format, even though they are required to copy
16 the documents under open records request law.

17 After working four years to get the General
18 Assembly to approve the transparency law because of
19 Fulton County and this -- their stalling, I tried again.
20 On January 15th, 2025, the clerk replied again, There
21 are no responsive documents and the new law does not
22 apply to them. So on February 19th, 2025 I sent it to
23 the Elections Division. They replied, There are no
24 responsive documents to your request. That has to be
25 four lies.

1 This is a systemic problem because Fulton
2 County was found by the Court to have violated an open
3 records request law, in my case, all the way back on
4 April 20th of 2021. Now, we all know why they've been
5 hiding the ballots for five years. It's because the
6 ballots don't confirm the electronic results that they
7 certified.

8 MR. MILLS: Your time is expired, Mr. Garland.

9 CHAIR FERVIER: Thank you, Mr. Favorito.

10 MS. FAVORITO: You want -- you want me to
11 yield my time to you?

12 MR. FAVORITO: Well --

13 MS. FAVORITO: I'll yield my time.

14 MR. FAVORITO: Oh, perfect. Well, I only have
15 one more sentence say.

16 I just -- I wanted the State Election Board
17 investigators to investigate this because we know that
18 the Secretary of State's investigators have a proven
19 track record of not investigating Fulton County
20 properly.

21 CHAIR FERVIER: Thank you.

22 MR. MILLS: Thank you. Ralph O'Connor, are
23 you here? He signed up yesterday.

24 CHAIR FERVIER: No.

25 MR. MILLS: And he's not here. And Mr.

1 Chairman, before I turn this back over, I just want to
2 say -- I guess my less than two minutes. And that is,
3 yesterday is known around the world to many people as
4 Ash Wednesday. And I think it's only proper for us to,
5 you know, at least from my personal persuasion -- let me
6 put it that way.

7 What Jesus did for me years ago, I will never
8 get over. And I'm thankful for it in every setting.
9 And I'm not ashamed of Jesus. I love him. I fall way,
10 way short of the example he's put in front of me. But
11 he is my Lord, and it is my goal to be like him. And
12 I'm a long, long way from that. Y'all have seen that
13 even in the meetings here. But on Ash Wednesday -- and
14 today being Thursday, it's proper to acknowledge what he
15 has done for me.

16 And I -- my thought has been this Mr.
17 Chairman. In the scriptures, it talks about Jesus was
18 praying in the Garden of Gethsemane and he said, Lord,
19 if you will just let this cup pass from me.

20 And, you know, he said, Nevertheless, not my
21 will, but thy will be done. And I thought about --
22 well, why did he want to drink that cup? Why did he --
23 I know it was a metaphor, but it's because all of the
24 bad, awful thoughts that I've ever had were poured in
25 that cup, all the bad deeds. And then I passed that cup

1 to Salleigh, and all of her bad thoughts, all of her bad
2 deeds --

3 John, all of your bad thoughts, all your bad
4 -- we -- all the way around this room and go all the way
5 back to all of the history of humanity. That was what
6 Jesus did for us on the cross. And so Ash Wednesday, I
7 just say, Thank you, Jesus. And thank you, Mr.
8 Chairman, for this time.

9 MEMBER KING: I second that.

10 CHAIR FERVIER: Thank you. Thank you. I
11 believe we have a comment from Member Grubbs.

12 MEMBER GRUBBS: Yes.

13 CHAIR FERVIER: Then I have some final
14 comments unless -- does anybody else -- any comments?
15 No. Okay.

16 Member Grubbs.

17 MEMBER GRUBBS: Thank you, Director Mills, for
18 that. And echo those sentiments as well. I would --
19 since we had public commenters who want to talk about me
20 going on Steve Bannon, I want to address -- you know,
21 that's why I talked about communication protocols and
22 things like that -- is that I very much believe in free
23 speech. And you can love Steve Bannon or you can hate
24 him. It makes no difference to me how you feel about
25 him.

1 But it's funny to me that people on the other
2 side of the aisle will say, You went on Steve Bannon.

3 And I'm like, Yes, I did.

4 And I also talked to ProPublica and I also
5 talked to the Washington Post, and I also talked to the
6 New York Times. And I also had done 11Alive news, like,
7 last week or the week before, three different
8 interviews. And I didn't see any one of them.

9 I don't go back. I don't seek to do the
10 media. But I understand that there are people out there
11 that are putting out that information, and I'm going to
12 speak against that. And every time my -- you know, I
13 have Mr. Gray's cell phone number saved in my phone, and
14 every single time he calls me, I answer his call if I
15 can. If I happen to be on the other line, I'll send him
16 a text message and say, I'll call you right back. And
17 always just try and call him right back.

18 So it is unfair to rage over Steve Bannon when
19 I talk to everybody I possibly can, because election
20 integrity is something that is deeply personal to me.
21 It changed my life in 2020. It's not about redoing
22 2020, it's about fixing everything from 2020 forward.

23 And so there are still, as you can -- if you
24 pay attention to the cases, there are tons of issues
25 from 2024. There's even tons of stuff 2016, 2017, 2018

1 that -- still cases that are out there that we don't
2 know what we don't know. And so, yes, I'll talk to the
3 press.

4 And yesterday I stood out here and talked to
5 MSNBC. And I talked to Donie -- what's his name? Donie
6 or -- I don't know. Marilyn could tell me who I'm
7 thinking about. But he -- you know, I sit down for what
8 I think is a very objective interview. And then what I
9 end up seeing on -- is it CNN, I think?

10 UNIDENTIFIED SPEAKER: It's CNN.

11 MEMBER GRUBBS: Yeah, CNN. And then it's just
12 completely different. So when you attack me for being
13 on Steve Bannon, personally, I have appreciated every
14 second I've been on Steve Bannon and I appreciate every
15 opportunity to get out the message that we need to stop
16 voting with these machines. We need hand-marked paper
17 ballots. We need our legislature to act and we need
18 verifiable elections.

19 So if you're going to criticize me for
20 speaking out, then criticize me for speaking to all of
21 the other liberal publications that I speak to, too.
22 Thank you very much.

23 CHAIR FERVIER: Thank you. I want remind
24 people once again that our next meeting is at -- March
25 18th at the Marietta City Hall. I want to thank Bartow

1 County for the use of these facilities. They are great.
2 They worked out great.

3 BOARD MEMBER: Barrow.

4 CHAIR FERVIER: Barrow. It's been a long day
5 and a half. I have -- I have -- I wrote it down.
6 Barrow County. I'm sorry. Yes. And Pat Graham, who
7 allowed this at Barrow County in the city of Winder. So
8 we appreciate that. I thank all of the participants for
9 the last day and a half that have been here
10 participating in this meeting. You make a very
11 successful meeting for the most part.

12 I want to thank the audience members and their
13 patience for this and the people who spoke. And I want
14 to thank all the people who participated in making this
15 meeting work. There are a lot of people that worked on
16 it. I don't think y'all realize how much time this
17 board puts in with no pay. You know, multiple days,
18 literally multiple days to go over 76 complaints and
19 everything else need to be done. And, you know, I
20 appreciate all that.

21 So the chair at this time will entertain a
22 motion for adjournment.

23 MEMBER GRUBBS: So moved.

24 CHAIR FERVIER: We have a motion. Is there a
25 second?

1 VICE CHAIR JOHNSTON: Second.

2 CHAIR FERVIER: All those in favor, signify by
3 saying aye.

4 (Ayes were heard.)

5 CHAIR FERVIER: This meeting is adjourned.

6 Thank you.

7 (The proceedings concluded at 1:13 p.m.)

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CERTIFICATE OF REPORTER

I, BRANDON ROBERTS, Certified Court Reporter
and Notary Public, in and for the State of Georgia do
hereby certify:

That I digitally reported the proceedings had
and the evidence given, and that said proceedings was
accurately captured with annotations, and that the
transcript is a true and complete record of the
proceedings.

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
hand this 4th day of March 2026.

Brandon Roberts

Brandon Roberts, GA-CCR, CER, CDR

MEETING
GEORGIA STATE ELECTION BOARD MEETING

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