

In the Matter Of:
TRANSCRIPT OF MEETING

MEETING
March 18, 2026



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GEORGIA STATE ELECTION BOARD MEETING

Wednesday, March 18, 2026

9:19 a.m.

Marietta City Hall â€” Council Chambers
205 Lawrence Street Northeast
Marietta, Georgia 30060

Nyla Morris
Digital Reporter

APPEARANCES

CHAIR: JOHN FERVIER

VICE CHAIR: JANICE JOHNSTON, M.D.

BOARD MEMBERS:

JANELLE KING

SALLEIGH GRUBBS

SARA GHAZAL

On behalf of N/a:

HOPE COAN, ESQ.

GEORGIA STATE ELECTION BOARD

206 Washington Street

Atlanta, Georgia 30334

470-312-2715

hcoan@seb.ga.gov

APPEARED IN PERSON

(Proceedings recorded by digital sound recording:
transcript produced by transcriptionist.)

1 (Proceedings commenced.)

2 CHAIR FERVIER: Good morning. And welcome to
3 the beautiful city of Marietta. Love this place. If
4 you hadn't had a chance to get around here and look
5 downtown, it's a wonderful area.

6 It has some great restaurants on the square
7 down there and Marietta is just a very historic and
8 beautiful place. If you're new to the area, take a
9 chance or take an opportunity, get out and see it
10 before you leave today.

11 Welcome to the Wednesday, March 18th, 2026,
12 meeting of the State Election Board. I'm calling it to
13 order. I'm joined today by our full board; Member Sara
14 Ghazal, Member Salleigh Grubbs, Member Janelle King,
15 Member Janice Johnston, myself, I'm John Fervier,
16 chairman of the Board, and our executive director,
17 James Mills, to my right here and staff.

18 So we appreciate you-all being here today. We
19 have a good agenda to go through. Not as many cases as
20 we've had in the past, but we'll -- we'll work through
21 those and a few other business items.

22 We -- as always, we want to start the meeting
23 with our invocation and pledge of allegiance. And
24 Member Grubbs has kindly agreed to give the invocation
25 this morning.

1 Member Grubbs?

2 MS. GRUBBS: Good morning, everyone. Welcome
3 to my hometown where I was born and raised. So I do
4 encourage you to enjoy the food around the square and
5 our precious town. Let us bow our heads.

6 Dear Heavenly Father, thank you for the
7 opportunity to serve the state of Georgia in this
8 capacity. Lord, we all on Board take it seriously, and
9 we all want to do to good thing, but most of all Lord,
10 I want to be of service and honor to you.

11 And Lord, I just ask right now that you'd be
12 close to the brokenhearted this morning, to
13 Dr. Johnston and the death of her sister-in-law and --
14 and friend. It's hard to continue on with life and
15 doing our duties and carrying out our responsibilities
16 when our heart is hurting so badly. So Lord, I just
17 ask this morning that you'd be close to her and hold
18 her in your hands as we go through this meeting.

19 Lord, thank you for the leadership we have in
20 the state. I ask right now that you put a special hand
21 on all the legislators who are down at the Capitol
22 doing the business and the people of the state of
23 Georgia. Lord, I ask right now that you'd be with all
24 of our servicemen and women who are overseas securing
25 our country.

1 And Lord, I ask your blessings and your hand
2 upon our national leadership in this country, that we
3 be pleasing unto you. And Lord, I just ask right now
4 that you be close to those who are -- who are more
5 hurting or who have needs. Lord, the needs are great
6 in our state, in our county, and in our country.

7 And God, I just ask that you guide this
8 meeting with your loving hand, with your direction, and
9 your divine providence. In Jesus name, amen.

10 (Amens were heard.)

11 CHAIR FERVIER: And Member King has kindly
12 volunteered to do the pledge of allegiance to our flag.
13 Stand please.

14 MS. KING: I pledge allegiance to the flag of
15 the United States of America, and to the republic for
16 which it stands, one nation under God, indivisible,
17 with liberty and justice for all.

18 CHAIR FERVIER: Thank you. Just one quick
19 house rule that I always like to reiterate. We have a
20 whole bunch of people here and a whole bunch of
21 different opinions and beliefs, and we ask that
22 everybody please give consideration to whoever is
23 speaking.

24 We don't like to do clapping and cheering, and
25 all that stuff. If you must feel that you need to give

1 some sort of recognition of who's speaking, then please
2 feel free to do the jazz hands, which just drives me
3 crazy, but do it anyway. The more jazz hands, the
4 crazier it makes me, but go ahead.

5 But please just be respectful to everybody
6 else. Like I said, we all have different opinions. We
7 all have a right to be heard, though, and respected for
8 what our opinions are, so please, no cheering, no
9 outbursts, nothing like that, and it will help things
10 go a lot smoother.

11 We will have a public comment this morning.
12 That will be directed by our executive director. We'll
13 talk about that when we get to it.

14 So I just ask your kindness and consideration
15 to everybody that's here. Thank you.

16 And the first item on the agenda today is to
17 deal with the minutes from the November 13th, 2025,
18 State Election Board, the -- members of this board have
19 had those minutes and have reviewed them, hopefully.
20 Are there any corrections to the minutes for the
21 November 13th, 2025? Without hearing any corrections,
22 the Chairman will entertain a motion.

23 MS. KING: So move.

24 CHAIR FERVIER: We have a motion to approve
25 the November 13, 2025 State Election Board meeting

1 minutes. Is there a second?

2 MS. GRUBBS: Second.

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

7 (Ayes were heard.)

8 CHAIR FERVIER: Any opposition? Hearing no
9 opposition, so moved. Those minutes are approved.

10 Second item, is the approval of the December
11 9th and 10th, 2025, State Election Board meeting, those
12 minutes are in your folders. Are there any corrections
13 to be made to those minutes? Hearing no corrections,
14 the Chair will entertain a motion to approve?

15 VICE CHAIR JOHNSTON: I move that we approve
16 the minutes from December 9th and 10th.

17 CHAIR FERVIER: We have a motion to approve
18 the mentioned December 9th and 10th. Is there a
19 second?

20 MS. KING: Second.

21 CHAIR FERVIER: We have a motion to second.
22 Any discussion? Hearing no discussion, all in favor of
23 approving the minutes from December 9th and 10th, 2025,
24 State Election Board meeting, signify by saying aye.

25 (Ayes were heard.)

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

3 And the next item is the approval of the
4 January 21st, 26, State Election Board meeting minutes.
5 Any corrections be made to those minutes? Hearing no
6 corrections, the Chair will entertain a motion to
7 approve those minutes.

8 MS. KING: So moved.

9 CHAIR FERVIER: We have a motion to approve,
10 the January 21st, 2026, State Election Board meeting
11 minutes. Is there a second?

12 MS. GRUBBS: Second.

13 CHAIR FERVIER: We have a motion and a second.
14 Any discussion? Hearing no discussion, all those in
15 favor of approving January 21st, 2026, State Election
16 Board meeting, signify by saying aye.

17 (Ayes were heard.)

18 CHAIR FERVIER: Any opposition? Hearing no
19 opposition, those minutes are approved.

20 Next item in agenda is the Attorney General's
21 report. See how we can go through these things if
22 there's no cheering and all that. Attorney General's
23 report, we have several consent orders.

24 The Attorney General Beth Young -- there she
25 is. Straight ahead. I was looking for you over there,

1 Beth.

2 MS. YOUNG: Well, apparently that mic doesn't
3 work so...

4 CHAIR FERVIER: It does not work.

5 MS. YOUNG: Mind if I come over here? Just so
6 everyone can hear me. We'll go ahead and start with
7 the consent orders.

8 The first one on the list, 2020-064, is going
9 to come off of this agenda, we are working out a
10 consent order with the county, but like this Board,
11 they have to vote to approve the terms and were just
12 not able to get the timing worked out. So we will be
13 moving that one to hopefully our next state board
14 meeting.

15 CHAIR FERVIER: Which one is that, Beth?

16 MS. YOUNG: First one on the list, 2020-064.

17 CHAIR FERVIER: You said 063.

18 MS. YOUNG: Oh, okay. I may be looking at our
19 earlier draft. I think we may have already taken out
20 off of -- of the agenda. I think I see my older list.

21 CHAIR FERVIER: All right.

22 MS. YOUNG: So the first time that I do have
23 for you is 2020-063. And that's -- the respondent's
24 name is Kimberly Shannon and that arises from the
25 November 20, 2020, general election in Monroe County.

1 We're recommending consent order with a \$200 penalty.

2 They determined that Ms. Shannon had signed a
3 nomination petition for Lemarcus Davis who was an
4 independent candidate for not just herself, but the
5 other members of her family. That the members of the
6 family said that they didn't sign it themselves, but
7 they would've done so if asked.

8 She acknowledged that -- she did not
9 acknowledge signing for her family members so the case
10 is made -- mainly based on handwriting, which is
11 difficult to prove without expert testimony, you know,
12 will be to take it to OGCA. And so we felt that her
13 agreement to pay the \$200 penalty would be an
14 appropriate resolution for this one and would recommend
15 that the Board accepts the consent order as proposed.

16 CHAIR FERVIER: Are there any questions to the
17 attorney general changing this order? Chairman will
18 entertain a motion on consent order recommended by the
19 attorney general.

20 MS. GHAZAL: So moved.

21 CHAIR FERVIER: We have a motion to accept the
22 recommendation to the attorney general, SEB 2020-263.
23 Is there a second?

24 MS. GRUBBS: Second.

25 CHAIR FERVIER: The motion is seconded. Any

1 discussion? Hearing no discussion, all in favor of
2 accepting this consent order signify by saying aye.

3 (Ayes were heard.)

4 CHAIR FERVIER: Any opposition? Hearing no
5 opposition, so moved by a vote of 4 to 0.

6 MS. GHAZAL: I'm -- I'm sorry to interrupt.
7 I'm -- I'm getting messages that the livestream is not
8 working.

9 CHAIR FERVIER: That's correct. The
10 livestream is currently not operational. It's a
11 technical issue we're trying to deal with.

12 It is being videotaped and as soon as
13 livestream becomes available, go up, the entire meeting
14 will be uploaded to YouTube at a later date, though.
15 So you still have some building issues apparently so...

16 Next item is SEB 2022-156.

17 MS. YOUNG: Yes. This is a case involving
18 multiple respondents, that was referred to as at the
19 December meeting. We have worked out consent orders
20 for three of the respondents and recommending dismissal
21 of one of the respondents. Two of the respondents
22 we're still working on a resolution with -- with them,
23 but we're ready to move forward with this first wave of
24 respondents.

25 This is one in which there were -- was a

1 nomination petition signature campaign for independent
2 elect candidates that were looking to run in the
3 November 8th, 2022 general election in Coweta County.
4 So you had petition circulators that were going around
5 collecting signatures.

6 The -- kind of the main respondent, or the
7 first respondent is Julie Crow. She had been going
8 around gathering signatures for the nomination petition
9 and -- and there was a -- the allegation is that she
10 was encouraging people to sign on behalf of their
11 spouses and -- and you-all may remember, this is the
12 zipped face emoji situation.

13 We have worked with her counsel and -- and
14 they have agreed to pay \$1,000 fine in this case.
15 We're recommending lesser fines for respondents, Edie
16 [phonetic], Morehead [phonetic], and Pernell
17 [phonetic]. They each signed both their names and
18 assigned -- and -- and the names of their respective
19 spouses.

20 So they sign not just for themselves but for
21 their spouse. We're recommending apportionally lower
22 fine for them because the, you know, isolated
23 individual kind and not a repeat pattern of things
24 as -- as we had with Ms. Crow.

25 With regard to Harold Thompson who shows up on

1 the orders of dismissal list, we did not find any
2 evidence in the file to suggest that he had actually
3 submitted any fraudulent signatures on his nominating
4 petition. So we are recommending a dismissal on that
5 one.

6 So unless there are questions, we would
7 recommend that the Board accept the \$1,000 penalty for
8 Ms. Crow, and \$150 for Ms. Pernell, and \$100 each for
9 Ms. Morehead and Mr. Edie.

10 CHAIR FERVIER: Any questions from the Board
11 for the AG? General motion on SEB 2022-156?

12 VICE CHAIR JOHNSTON: Mr. Chair, I move that
13 we accept the recommendations of the Attorney General
14 and -- and for the dismissal Mr. Thompson.

15 CHAIR FERVIER: We have a motion. Is there a
16 second?

17 MS. GHAZAL: Second.

18 CHAIR FERVIER: We have a motion and a second
19 to accept the recommendation of the attorney general
20 with the dismissal for the individual. Any discussion?
21 Hearing no discussion, all that's in favor signify by
22 saying aye.

23 (Ayes were heard.)

24 CHAIR FERVIER: Any opposition? No
25 opposition. So moved. Next item is SEB 2022-183.

1 MS. YOUNG: So this case, both 2022-183 and
2 2022-263, involve the Macon County Board of Elections.
3 And we have worked out a single consolidated consent
4 order for both of these cases. This involves the May
5 24th, 2022 general primary and the November 8th, 2022
6 general election in Forsyth County.

7 The complainant was L.B. Hayes. We were
8 proposing a consent order with a \$750 civil penalty.
9 2022-183 concerned a violation of 212-6, which is a
10 candidate qualification statute at the local level,
11 that requires that the superintendent ensure that the
12 candidate is qualified to seek and hold the public
13 office for which the candidate is offering.

14 A candidate named L.B. Hayes submitted the
15 qualifying paperwork to run for District 1 county
16 commissioner and paid his qualifying, paid in cash.
17 His qualifying packet was not notarized and he didn't
18 list the specific office for which he was running.

19 Those admissions were later discovered in
20 connections with an upcoming campaign claimant's
21 reporting deadline for the county and came back to the
22 elections office and made those corrections. But the
23 violation by this independent was not ensuring that the
24 paper was properly completed and in the first instance.

25 2022-263, concerns violation of 212382C1,

1 which requires that drop boxes shall be closed when
2 advanced voting is not being conducted at the location.
3 And on October 17th, 2022, the elections director
4 unlocked the slot for the absentee ballot drop box.
5 The slot was located on the outside of the elections
6 office, and the ballots were collected inside the
7 building.

8 They left that drop box open until the end of
9 the advanced voting period, and whereas they should
10 have closed it when -- when advanced voting was not in
11 session. They have changed it's practices regarding
12 how they collect absentee ballots via drop box.

13 We see no indication that this is something
14 that's likely to repeat itself on subsequent elections.
15 We have recommended and the Macon County Board has
16 voted to approve a consent order requiring they pay a
17 penalty of \$750 with -- with a cease and desist and a
18 reprimand. And so we would recommend that the Board
19 accept that resolution.

20 CHAIR FERVIER: Any questions from the Board?

21 MS. KING: This is 2022-183 and 263?

22 CHAIR FERVIER: Yes. Both cases.

23 MS. KING: Okay.

24 CHAIR FERVIER: Any further questions from the
25 Board? Chairman will entertain a motion on SEB

1 2022-183 and 2022-263.

2 MS. KING: I make a motion we approve the
3 consent order.

4 CHAIR FERVIER: On both cases?

5 MS. KING: Both cases.

6 CHAIR FERVIER: We have a motion to approve
7 consent order on both cases. Is there a second?

8 MS. GRUBBS: Second.

9 CHAIR FERVIER: We have a motion on the
10 second. Any discussion? Hearing no discussion, all
11 those in favor of approving the consent order SEB
12 2022-183 and 2022-263, signify by saying aye.

13 (Ayes were heard.)

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

16 Next item on the agenda is SEB 2022-284.

17 MS. YOUNG: This is a case involving the
18 Brooks County Board of Elections arising from the
19 November 8th, 2022, general election. This case was
20 referred to us at the December meeting for a violation
21 of 212379.25C, for failing to post the notice of live
22 and accuracy testing more than five days prior to
23 commencement of that testing.

24 This is a fairly simple case in which Brooks
25 County just failed to properly publish the notice in a

1 timely fashion. There was some confusion it sounds
2 like involving some technical issues. They weren't
3 quite sure when they could -- you know, could start the
4 L and A testing, but they didn't have enough time that
5 if they had been on point, they would've been able to
6 get that notice in the legal organ appropriately, but
7 by the time that they had published that notice in a
8 legal organ that five day window had come and gone.

9 They had -- they acknowledge the error, they,
10 you know, are taking steps to make sure that they will
11 not repeat this error and have agreed to pay a \$500
12 fine. So we would recommend that the Board accept the
13 consent order which has been approved by the -- the
14 local board of registration and elections for payment
15 of \$500 civil penalty in lieu of taking it to an
16 administrative hearing.

17 CHAIR FERVIER: Any questions for the attorney
18 general on this case? Chairman will entertain a motion
19 on SEB 2022-284.

20 VICE CHAIR JOHNSTON: Mr. Chair, I recommend
21 we accept the attorney general's consent order
22 recommendation for 2022-284.

23 CHAIR FERVIER: We have a motion to accept
24 attorney general recommendation? Is there a second?

25 MS. GRUBBS: Second.

1 CHAIR FERVIER: We have a motion and second
2 from Member Grubbs. Any discussion? Hearing no
3 discussion, all those in favor, signify by saying aye.

4 (Ayes were heard.)

5 CHAIR FERVIER: Any opposition? Hearing no
6 opposition, so moved.

7 Next item on the agenda is SEB 2023-006.

8 MS. YOUNG: This is -- the respondent in this
9 one is the Forsyth County Board of Elections and
10 Registration. This was referred to us at the September
11 meeting. And involved the December 6th, 2022 runoff,
12 election in Forsyth County.

13 Forsyth self-reported this violation. The --
14 there was one violation of OCGA 212419 and of this
15 Board's rule 183-1-12-.18, Paragraph 11B.

16 The -- there was a Forsyth County elector name
17 Patricia Seabolt, and she voted advanced in person at
18 the runoff election and then appeared again on an
19 election day and was given a provisional ballot. The
20 staff failed to catch that she had already voted in the
21 election because she had appeared at an incorrect
22 precinct.

23 I think they would have caught it if she had
24 shown up at her -- at the correct precinct. But her
25 showing up out of precinct, somehow threw them off and

1 caused them to miss the fact that she had already
2 provisionally voted.

3 We do not believe that -- this is a situation
4 that will continue to cause future problems, mostly due
5 to the migration from election that to Jarvis. Forsyth
6 County self-reported this error, has cooperated with
7 investigators fully and -- and appeared before the
8 board at the September meeting.

9 So we would recommend that the Board adopt the
10 consent order which contains \$500 penalty, a cease and
11 desist order, and a reprimand.

12 CHAIR FERVIER: Any question from attorney
13 general on this? Chairman will entertain a motion on
14 SEB 2023-006.

15 MS. KING: Make -- make a motion that we
16 accept the consent order.

17 CHAIR FERVIER: We have a motion to accept the
18 consent order. Is there a second?

19 MS. GRUBBS: Second.

20 CHAIR FERVIER: We have a motion to second.
21 Any discussion? Hearing no discussion, all in favor of
22 accepting the consent order on SEB 2023-006, signify by
23 saying aye.

24 (Ayes were heard.)

25 CHAIR FERVIER: Any opposition? Hearing no

1 opposition, so moved.

2 Next item was on final orders. SEB 2021-043.

3 MS. YOUNG: So this case was referred to us at
4 the July 30th, 2025 meeting. The respondent lives in
5 Coweta County and is named Grace Cooper. She -- this
6 involved the January 5th, 2021 runoff election.

7 What happened is -- is her daughter had
8 received an absentee ballot. We think that what
9 happened with this respondent and is that she got
10 confused because she did not try to sign -- you know,
11 to fill out and sign the ballot as if it was her
12 daughter. She put her own name and signed her name to
13 the ballot.

14 So we think this was just a case of confusion
15 where she thought that she was voting her own ballot,
16 but what she did in effect was to vote her daughter's
17 ballot. Given that she, we don't believe, had any
18 intention to violate the law by voting somebody else's
19 ballot and clearly intended to vote her own ballot and
20 just made an error in doing so, there's also some
21 evidence of her having some significant mental health
22 problems that might prevent her from -- from having
23 figured this out properly.

24 We think that a cease and desist and a
25 reprimand rather than pursuing her for payment of

1 penalty would be appropriate in this case.

2 CHAIR FERVIER: Any questions from the Board
3 on this case? Chairman will entertain a motion on SEB
4 2021-043.

5 MS. KING: Chairman, motion we accept the
6 final order.

7 CHAIR FERVIER: We have a motion to accept the
8 final order. Is there a second?

9 MS. GRUBBS: Second.

10 CHAIR FERVIER: We have a motion for second.
11 Any further discussion? Hearing no discussion, all
12 those in favor of accepting the final order SEB
13 2021-043, signify by saying aye.

14 (Ayes were heard.)

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

17 Next item on the agenda is SEB 2024-034.

18 MS. YOUNG: So this is a case that came from
19 Wilkinson County. This particular case involved the
20 respondent posting a photograph of his BMD spring to
21 his Facebook page. We typically in -- in photography
22 cases where it is somebody that is photographing their
23 own ballot, first-time offense, you know, no issue with
24 violating somebody else's ballot secrecy, we typically
25 recommend a reprimand for these.

1 We did want to, you know, alert the Board to
2 the fact that this is not quite a typical respondent.
3 We do have another case that's been referred to us with
4 this gentleman. Apparently, he is been somewhat
5 problematic on a repeated basis with the local election
6 officials.

7 And -- and, you know, we just wanted to
8 indicate that -- that we -- we have a more serious
9 case, 2024-144 that is referred to our office. We
10 will -- we recommend that we treat the first case
11 because, you know, not related to the later conduct, as
12 we would treat other cases. But we did want to
13 highlight to you-all this is someone that the -- that,
14 you know, you-all are aware of from -- from subsequent
15 meetings and there is a subsequent case and we will
16 certainly pursue that seriousness that is warranted by
17 the facts of that later case.

18 But for this first present case, those facts
19 don't really relate and there's no reason to
20 distinguish between penalties for him versus other
21 people that are in factually similar or identical
22 situations.

23 CHAIR FERVIER: So he's a frequent flier and
24 we're giving him some grace on the first case?

25 MS. YOUNG: Well, we're treating the first

1 case commensurate with other -- the same violations
2 from other respondents but we will be addressing, you
3 know, second, more serious allegations as appropriate.

4 CHAIR FERVIER: Any questions from the Board
5 on this case?

6 MS. KING: What was the decision again?

7 MS. YOUNG: I'm sorry?

8 MS. KING: What was the decision again?

9 MS. YOUNG: We're -- we're recommending final
10 order with a cease and desist and a reprimand, and then
11 just limit to the photography case.

12 CHAIR FERVIER: Any further questions?
13 Chairman will entertain a motion on SEB 2024-034.

14 MS. KING: I make a motion that we accept the
15 final order on the case.

16 CHAIR FERVIER: We have a motion to accept
17 final order. Is there a second?

18 MS. GRUBBS: Second.

19 CHAIR FERVIER: We have a motion and a second.
20 Any discussion? Hearing no discussion, all those in
21 favor -- all those in favor of approving the final
22 order SEB 2024-034, signify by saying aye.

23 (Ayes were heard.)

24 CHAIR FERVIER: Any opposition? Hearing no
25 opposition, so moved. Vote 4 to 0.

1 Next item on the agenda is SEB 2024-028.

2 MS. YOUNG: So this is a case coming from
3 Cherokee County against an individual respondent,
4 Suzanne Chapman. The election was a correct -- was the
5 Presidential preference election March 12th, 2024.

6 The complainant was the director of the
7 Cherokee County elections office. This is a case in
8 which the individual voter showed up in campaign
9 T-shirt with a picture of Joe Biden.

10 She was asked to cover up the shirt and, you
11 know, began recording on her phone the interaction.
12 She did not -- was not exactly cooperative with the
13 instruction to cover or remove the campaign related
14 attire. This is a violation of OCGA 212414A, which
15 prohibits the display of campaign material within
16 polling place, and also could be considered as a
17 violation of 212413E because she did end up using a
18 recording device for both of these violations or
19 violations that this board has in the past and
20 somewhere case has issued reprimands.

21 So we felt that a reprimand would be
22 appropriate in this as well for the sake of
23 consistency. And we would recommend that the case be
24 resolved with a reprimand and a cease and desist order.

25 CHAIR FERVIER: But while thinking about this,

1 did she -- clearly was in violation. Knew she was in
2 violation and she had a second violation by taking the
3 video and then had to be police escorted off the
4 premises. And that just seems like that would require
5 more to me than a cease and desist and a reprimand on
6 that case.

7 I mean, why -- why not try and find this
8 woman?

9 MS. YOUNG: We -- our office was -- was pretty
10 influenced by the reprimands that were issued at the
11 last hearing for very similar conduct. You also had
12 some respondents that were wearing campaign attire that
13 were very uncooperative and were -- you know, had to be
14 asked to leave or removed from the premises.

15 We felt that, you know, the Board was sending
16 a message that -- that that conduct warranted reprimand
17 rather than proceeded with penalty because that's what
18 it did at the last meeting with similar cases.

19 MS. KING: We can't issue fines from the
20 Board.

21 MS. YOUNG: We would have to either work out a
22 consent order or take it to an APA hearing.

23 MS. KING: Correct.

24 MS. YOUNG: To impose a penalty. I -- I don't
25 believe that we -- we don't think that we're going to

1 be likely to get a consent order on this one.

2 MS. KING: We sent this case to the AG's
3 office, correct?

4 CHAIR FERVIER: Yeah.

5 MS. KING: Because we thought that it would
6 require a little bit more than what we were able to do.
7 So I kind of -- kind of agree that there should be a
8 fine associated -- I mean, the cases beforehand, they
9 weren't -- they weren't police involvement, where they
10 had to be escorted off the premises by the police.

11 MS. YOUNG: I believe at least one of them
12 was.

13 MS. KING: Which one?

14 MS. YOUNG: I --

15 MS. KING: I don't remember that one.

16 MS. YOUNG: I -- I would have to go back and
17 look at the --

18 CHAIR FERVIER: It was a previous meeting.

19 MS. YOUNG: -- the meeting.

20 MS. KING: Yeah. I just don't remember the
21 police escorting anyone off. And I mean, I think
22 that's why we sent it to the AG's office.

23 CHAIR FERVIER: No.

24 MS. YOUNG: I believe that -- my
25 recollection -- and I could be wrong -- but I believe

1 at least one of them did involve that. Because we --
2 we -- you know, we're kind of careful in -- in terms of
3 looking at what the Board has done in prior cases and
4 felt like this would be consistent with that.

5 But it's up to the Board to decide how to
6 vote, whether or not to accept the final order.

7 MS. GRUBBS: So I'm kind of confused as to if
8 we -- we have the power to issue a reprimand, but we
9 don't issue a reprimand, we send it to the AG's office
10 and then come back with the reprimand.

11 MS. KING: I know. That's -- I thought we
12 sent it to the AG's office because we felt if there was
13 more that needed to be done. So I know that -- I mean,
14 if -- if you're looking at a case and saying, well, the
15 SEB has done -- has done something similar in -- with
16 other cases that are similar to this case, so I'm going
17 to follow that lead, that kind of defeats the purpose
18 of sending it to you.

19 Because I think you said -- we thought we sent
20 it to the AG's office so that they can -- so you guys
21 can look into it and do more because we felt like
22 there's more meat or more necessary --

23 MS. YOUNG: Well --

24 MS. KING: And the other case, I don't know
25 which case you're referring to, so I can't speak on

1 that. But --

2 MS. YOUNG: We had originally been planning to
3 pursue a penalty on this one, and it wasn't until the
4 Board issues reprimands. So we -- we've got this
5 before the last meeting and we're working at the
6 penalty case on this.

7 And then we saw the Board at it's last
8 meeting, in what we felt like were factually pretty
9 equivalent circumstances getting reprimands. That is
10 why we thought it would be appropriate to bring this
11 back to the Board.

12 MS. KING: So there was a case in the last
13 meeting that was --

14 MS. YOUNG: Yes.

15 MS. KING: I mean, we're talking -- it had to
16 be identical, right. If you're judging by our decision
17 on another case to make a decision on this one?

18 MS. YOUNG: So the case that -- and -- and we
19 describe it in the --

20 CHAIR FERVIER: This other case, I remember
21 this one. This guy showed up wearing the Donald Trump
22 and gave the answer I'm voting for the -- you guys
23 remember that?

24 MS. KING: Yeah. But he wasn't -- he wasn't
25 taken out by the police.

1 CHAIR FERVIER: No. No.

2 MS. YOUNG: No. He -- he did also use his
3 phone and he became very belligerent with elections
4 workers so we felt --

5 MS. KING: But this person was escorted by the
6 police, correct?

7 CHAIR FERVIER: Yes.

8 MS. YOUNG: I believe so, yes.

9 MS. KING: But that person wasn't? It wasn't
10 identical case?

11 CHAIR FERVIER: No. I remember him. He
12 was -- he was the prior military guy.

13 MS. KING: He came --

14 MS. GRUBBS: But I don't -- I don't think his
15 actually said who candidates were. It was just outlaw
16 and hillbilly.

17 CHAIR FERVIER: Outlaw and hillbilly.

18 MS. GHAZAL: And with the images --

19 CHAIR FERVIER: And pictures.

20 MS. GHAZAL: -- of the candidates.

21 CHAIR FERVIER: He had pictures. Yeah.

22 MS. KING: Well, in my case, I -- I felt like
23 this case warranted a little bit more because of the
24 police involvement, which means that we're now using
25 taxpayers' money to have -- send in officers to have to

1 remove someone. And I believe that there should be a
2 fine associated. I mean, we got pay for it, they
3 should pay for it.

4 MS. YOUNG: If that's the -- if that's the
5 rule of the Board. The Board is -- is free to vote to
6 reject the proposed final order.

7 We think that SEB 2024-206 is very, very
8 similar to this case. The ALJ, you know, may very well
9 feel that that guides this case as well. But, you
10 know, we could see about taking it there.

11 MS. GRUBBS: Ms. Young, one of the things
12 that -- that we hear loud and clear -- first of all,
13 let me thank you for being here this morning. I very
14 much appreciate that.

15 But secondly, is that we highly respect and
16 appreciate our poll managers, poll workers, and all
17 the -- the employees as the county election
18 departments. And we want to be sure that people do
19 have respect. And the thing is, you know, when people
20 don't comply with the poll workers instruction to cover
21 up or, you know, not do those things, I understand
22 freedom of speech and First Amendment rights are so
23 vitally important, but we try to ensure that there's
24 not influence at the polls.

25 And, you know, standing at the poll, arguing

1 with the poll worker is not the time or the place to --
2 to deal with that. I mean --

3 MS. KING: Yeah. Again, there's a difference
4 between having interaction with a poll worker,
5 you're -- you're arguing and then they say you need to
6 leave and then you leave. It's another when you don't
7 leave and now I have to call the police and get, you
8 know, the police involved to come and remove you. That
9 separates these.

10 MS. YOUNG: Well, we thought that -- we
11 thought that in 2024 -206, there was -- they -- I -- I
12 think the county was able to handle it without calling
13 the police, but there were some facts without -- that
14 suggested this -- that that respondent was very
15 aggressive with the poll workers and -- and the county
16 was very concerned about it. They showed up to -- to
17 talk about, you know, their -- their negative
18 interactions with this individual.

19 So we were just -- we were looking to be
20 consistent with what this board is -- is -- was doing.
21 That's -- that was the basis of our recommendation.

22 CHAIR FERVIER: My recommendation is we
23 continue this and give us a chance to bring those other
24 two --

25 MS. KING: Yeah.

1 CHAIR FERVIER: Make sure we're consistent in
2 what we do.

3 MS. GRUBBS: I agree.

4 MS. KING: Just so I'm clear, so the AG's
5 office, you're -- you're consistent with us. Like, so
6 whatever we do, you're -- you're watching us? You're
7 making decisions based off of what we do?

8 MS. YOUNG: Yes. Because we're always --
9 anytime that we're -- we're kind of assessing what --
10 what would be the appropriate penalty, whether it's
11 monetary fines, reprimand, we're always looking to make
12 sure that -- that it treats similarly, consistently.

13 In the past, similar cases have warranted
14 penalties. We were -- you know, but then we saw in the
15 December meeting a very -- of what -- what to us seemed
16 like a very statutory similar case being given a
17 reprimand. So we thought, you know, they allowed that
18 to inform a recommendation here.

19 MS. KING: Yes. It's just I didn't know we
20 were influencing. So the AG's office -- so you had
21 cases in the past, were you issued a fine you choose --
22 chose not to because we issued a reprimand referring to
23 a case that appeared similar?

24 MS. YOUNG: Sure. Yes.

25 MS. KING: So who -- what's precedent? Is it

1 what you're -- you decided in the past or is it what we
2 decided?

3 MS. YOUNG: What you decided. What the Board
4 decided. We, you know, it's -- it's always a
5 challenge. These case are challenging to us because,
6 you know, what is an appropriate penalty for -- for a
7 given offense.

8 And, you know, sometimes it's a bit of a
9 guessing game, but we're always looking to find, you
10 know, how your prior precedence because you want to be
11 consistent. We don't want to penalize people from
12 different parties or different geographic locations
13 differently. We don't want big cities treated
14 differently than small towns.

15 We don't want, you know, people from one party
16 being differently than another. So we're always
17 looking -- you know, we're always kind of trying to
18 gather evidence from prior cases, whether it's a vote
19 of the Board, a decision of an ALJ, a consent order.
20 You know, what have we done in the past and that, you
21 know, is how we come up with what we think it's
22 appropriate in -- in a case like this one.

23 MS. GRUBBS: Ms. Young, in this report, it
24 says the office offered to resolve the matter with \$150
25 consent order, but the respondent did not respond to

1 the offer. Do you have they just didn't respond or if
2 it was in a negative --

3 MS. YOUNG: They just didn't respond, which
4 is -- which is not uncommon with indigent respondents,
5 you know.

6 MS. GRUBBS: I don't know, if I get a letter
7 from the Attorney General's office, I think I'm going
8 to be responding.

9 CHAIR FERVIER: Maybe if we put that at a
10 \$1,000 fine, she'll respond.

11 MS. GRUBBS: But let me ask you as a result
12 we're going to just not issue the fine?

13 CHAIR FERVIER: I -- I would like to just
14 continue this one and take a look at that one. I want
15 to go back and read the case.

16 MS. KING: I agree.

17 CHAIR FERVIER: Chairman entertain a motion.

18 MS. GRUBBS: Mr. Chair, will I recommend that
19 we continue this case and the final resolution until we
20 do some more investigation and then bring it back.

21 CHAIR FERVIER: We have a motion to continue
22 the case. Is there a second?

23 MS. KING: Second.

24 CHAIR FERVIER: We have a motion to second.
25 Any discussion? Being no discussion, all those in

1 favor signify by saying aye.

2 (Ayes were heard.)

3 CHAIR FERVIER: No resolve?

4 MS. GHAZAL: Aye.

5 CHAIR FERVIER: Any opposition? Hearing no
6 opposition, this case will be continued. For -- Beth,
7 I'll get with you on what we -- when --

8 MS. GRUBBS: Mr. Chair, I have a question
9 on -- on just procedure. In 21233.1, Subparagraph E,
10 it says, "In any action brought before the attorney
11 general to enforce any of the provisions of this
12 chapter or any rule or regulation issued by the State
13 Election Board, the judgment if in favor of the State
14 Election Board shall provide that the defendant pay to
15 the State Election Board the cost includes" --
16 "including reasonable attorney's fees incurred by the
17 State Election Board in the prosecution of such
18 action."

19 So Ms. Young, pursuant to that are any of
20 these cases that we're seeing come back with a consent
21 order or anything like that, including any attorney's
22 fees payable to the board?

23 MS. YOUNG: No. We don't charge you-all fees.
24 So it would be -- not be appropriate to charge members
25 of the public fees that, you know, hadn't been charged

1 to --

2 CHAIR FERVIER: Leave it to the court to
3 enforce the penalty and charge the fees?

4 MS. YOUNG: Yes.

5 MS. GRUBBS: So it'd be a fine in -- in
6 addition to?

7 CHAIR FERVIER: Right. We -- yeah.

8 MS. GRUBBS: Okay. I appreciate the
9 clarification.

10 MS. YOUNG: No problem. Typically, what we
11 doing in -- in OGCA cases, is we seek the investigative
12 costs because that is something that is -- is billable
13 from the Secretary of State's office. And we -- when
14 we do take cases that is what we usually make those
15 part of the cases as long as there is -- had been costs
16 that have been charged. Not every case has that.

17 CHAIR FERVIER: Next on the agenda is orders
18 of dismissal. You recommending these next five all for
19 dismissal?

20 MS. YOUNG: Yes.

21 CHAIR FERVIER: Then does the Board want to
22 vote on all this at one time or each individual?

23 MS. GRUBBS: I do have a question about one.

24 CHAIR FERVIER: Which one would that be?

25 MS. GRUBBS: 2023-005.

1 CHAIR FERVIER: That would be the last one.
2 Any other questions on the floor? Would the Board like
3 to vote en mass on these four things?

4 So the other four cases are SEB 2022 -- I'm
5 sorry -- SEB 2020-001, SEB 2022-151, SEB 2022-156, and
6 SEB 2022-191. They've all been recommended for
7 dismissal by the attorney general. Is there any
8 questions for the attorney general on those four cases?

9 Chairman will entertain a motion to dismiss
10 those four cases.

11 MS. KING: So moved.

12 CHAIR FERVIER: We have a motion to dismiss.
13 Is there a second?

14 VICE CHAIR JOHNSTON: Second.

15 CHAIR FERVIER: We have a motion on the second
16 from Dr. Johnston. Any discussion? Hearing no
17 discussion, all those in favor of dismissing those four
18 cases signify by saying aye.

19 (Ayes were heard.)

20 CHAIR FERVIER: Any opposition? Hearing no
21 opposition, so moved by a vote 4 to 0.

22 Next on the agenda is SEB 2023-005. Beth,
23 you'd like to talk about that one real quick?

24 MS. YOUNG: Sure. This is a case in which we
25 are recommending dismissal against Annie Grace Hunter.

1 She is a resident of Decatur County, Georgia, and looks
2 like she's lived in Decatur County for quite a long
3 time. But she at some point around the November 2022
4 elections went and stayed with some family members in
5 the state of Washington.

6 She was having some health issues, and she
7 went temporarily to stay with her family to be cared
8 for by them. She requested an absentee ballot from
9 Georgia, which would be perfectly appropriate, except
10 that she also went and voted in Washington. That is
11 most likely a violation of -- of Washington state law.

12 We don't have jurisdiction to enforce
13 Washington state law. One could make a case that, you
14 know, that that somehow violates our local laws, but it
15 would be a challenging one. I don't think we had the
16 facts in this case to necessarily prove that she lost
17 her residency rather than temporarily being absent from
18 the jurisdiction.

19 So it'd be very difficult to charge her with a
20 violation of, you know, our laws for voting in our
21 state because she lived in Georgia most of her life.
22 It's just really not the evidence that she intended to
23 relocate away from there with any permanent intention
24 to relocate. So for that reason, we were recommending
25 a dismissal rather than trying to pursue further

1 penalties against her because it's just really not
2 clear exactly what provision of Georgia law she
3 violated.

4 CHAIR FERVIER: Dr. Johnston?

5 VICE CHAIR JOHNSTON: Yes. We -- we talked
6 about this the other day. This -- this person moved to
7 Washington State and registered to vote, and voted in
8 Washington State. And by definition in our code, she's
9 deemed to have changed her residency when she does that
10 and is no longer eligible voter in the state.

11 Now, when she returns to Georgia and registers
12 to vote, that certainly the proper thing to do. She
13 did not return to Georgia.

14 And because her name was still on the voter
15 rolls, those highlighting problem that we see over, and
16 over, and over again about ineligible registrants not
17 being removed or at least flagged in the voter rolls.
18 She was an ineligible voter. So I -- I would recommend
19 a letter of reprimand for violation of 212217A2 and 13.

20 MS. YOUNG: One quick comment about this
21 that -- that may not have been very obvious from the
22 time I -- what she was actually charged with was not
23 her vote in the election in which she voted in both
24 Georgia and Washington. She was actually charged with
25 voting improperly in 2022, two years later when I don't

1 think there's any question that she was already back in
2 Georgia at that time.

3 So even if she had lost residency at -- by --
4 by casting that Washington vote in 2020, there's no
5 reason that by coming back home and continuing to live
6 here, she couldn't re-establish her residency at that
7 point. So part of this is -- is the nature of exactly
8 which election and which vote she's charged with having
9 a violation for. Had you been referred to case for
10 violation for -- for her vote in 2020, that would've
11 been a better case.

12 VICE CHAIR JOHNSTON: I -- I don't recall in
13 this case that she double voted. Are you -- is that
14 your understanding of this case?

15 MS. YOUNG: Let's see. She voted in
16 Washington in 2020. Oh, I'm sorry. I was wrong. She
17 did not vote in that election in Georgia. So you know,
18 we really don't have anything to indicate that she, in
19 2022, two years later after she had returned, had
20 somehow lost her ability to claim Georgia residency
21 based on that 2020 vote. My understanding of the facts
22 was that she -- she went and stayed in Washington for
23 some time with family for health reasons.

24 And, you know, once those health reasons -- I
25 think she was on some kind of dialysis and needed some

1 family help, and then got better and came back home to
2 where she, you know, had been living for many, many
3 years. So we're just not seeing a case to be made that
4 she did anything improper by voting in 2022 in Georgia
5 where she lived.

6 VICE CHAIR JOHNSTON: Right. As -- as I see
7 it, as Georgia Code states on 212217A2A, if a person
8 registers to vote in another state, that person shall
9 be deemed to have changed his or her residency. So
10 that -- that would suggest that she's no longer
11 eligible in -- in her -- her old -- her prior state.
12 And also 13, Paragraph 13, if a person goes into
13 another state while -- there exercises the right of a
14 citizen by voting, such person shall be considered to
15 have lost such person's residence in this state.

16 So she -- she lost her -- her residence in the
17 state. Certainly, when she comes back to Georgia, she
18 can register to vote, or as our voter rolls show, she
19 can update her registration because she was never
20 removed in the first place, which she should have been.
21 So I -- I do -- I would ask the board to consider this
22 a violation of residency. Not -- I did not see any
23 evidence of double voting or -- no.

24 MS. YOUNG: I -- I think it is a -- you know,
25 I think you're correct that technically she probably

1 should have been taken off the rolls and would have had
2 to re-register. You know, certainly when people move
3 out of the state for, you know, a year or two years and
4 then come back to Georgia, of course, they -- you know,
5 as long as they validly move back to Georgia, they're
6 allowed to vote again. Technically, I think she
7 probably should have somehow been required to
8 re-register.

9 But because her -- her voter registration just
10 kind of stayed active, she just went and voted. And,
11 you know, I -- I don't know that that's really
12 attributable to her conduct as much as, you know, it's
13 more of a clerical issue that she wasn't required to
14 re-register.

15 VICE CHAIR JOHNSTON: I see it as a nationwide
16 problem of the voter rolls nationwide, which is why I
17 would like Georgia's voter rolls to be shared with the
18 Department of Justice to look for double, triple, or
19 however many registrations there are across states. In
20 this case, this woman also had registered to vote in
21 Florida. So she had registered to vote in Florida, and
22 she had registered to vote in Washington, and she was
23 registered to vote in Georgia.

24 And it only raises the opportunity that if one
25 is registered in multiple states, then one could choose

1 the election that they think is most important to vote
2 in and simply go to that state and vote if they're on
3 the voter rolls. And that is not right. That is not
4 correct.

5 We -- we have a residence in one state, we
6 should vote in one state. One vote, one state, one
7 person, and one residence. So this is -- this is a
8 systemic problem for Georgia. It's a systemic problem
9 for the -- for the United States of America.

10 And we're so loose about this, it's creating
11 problems that why not everybody go vote in the
12 battleground state. Hey, that's a great idea. Why
13 don't we just register in all the states, and we'll
14 just pick the state that we have the hottest -- you
15 know, hottest campaigns and contests.

16 So I -- I find this quite problematic. And
17 if -- if we just let it ride, then we're -- we're
18 saying that it's okay to do this, and it's not okay to
19 do this.

20 MS. YOUNG: Can I just point out that there's
21 no indication that this particular respondent went to
22 Washington for any reason other than because of her
23 personal family health issues. I -- I don't see any
24 indication in this file that, you know, there was any
25 deliberateness on her part to try to forum shop.

1 MS. KING: I mean, we -- we can't determine
2 intent, though, that's -- I mean, that's an assumption,
3 right?

4 MS. YOUNG: Well, there -- there's certainly
5 no evidence in the case that would suggest that. And,
6 in fact, Georgia was a swing state in 2020, Washington
7 was not. So if one were going to do that, you would
8 expect it to be the other way around.

9 MS. KING: Well, it sounds like you're --
10 you're speaking as her defense.

11 MS. YOUNG: I'm just talking about why we feel
12 like the case is not appropriate for further pursuit.
13 Because we -- we have to have evidence of a -- of a --
14 you know, criminal violation to move -- move forward
15 with it. And we need to prove -- prove by a
16 preponderance of the evidence that this individual
17 respondent violated some provision of Georgia's
18 election.

19 MS. KING: And her being registered in
20 multiple states is not evidence?

21 MS. YOUNG: I don't see any indication that
22 she -- that she did anything wrong other than
23 possibly --

24 MS. KING: Registering to vote in different
25 states.

1 MS. YOUNG: Well, if -- if she had properly
2 voted in Washington, that's not within our
3 jurisdiction. I -- I don't know that she did. She was
4 there for probably a sufficient length of time that she
5 may have been able to establish residency there with
6 their rules. But then she came back to Georgia where
7 she's -- I don't think there's any doubt that in
8 2022 --

9 MS. KING: So you say registering to vote in
10 different states as long as they don't vote, it's okay.

11 MS. YOUNG: Well, the question is, is in 2022,
12 which is the time period of the election with which
13 she's charged with violating the law, but she is all a
14 Georgia resident, there's -- there's absolutely no
15 indication that she was not. You know, she lived in
16 Georgia for many, many years. You know, we -- we deal
17 with facts and evidence, and not hypotheticals when we
18 analyze these cases.

19 So we -- we have no evidence to offer to an
20 ALJ or anyone else that would suggest that she wasn't a
21 valid Georgia resident in November 2022, which is the
22 issue that, you know, the election that -- where she's
23 been charged with a violation.

24 CHAIR FERVIER: No resolve.

25 MS. GHAZAL: I think we're forgetting as well

1 here. Like, I want to set these particular facts
2 aside, but federal law requires that when a voter
3 moves, if they do not affirmatively deregister, they
4 have to stay on the voter rolls for two federal cycles
5 if we don't have a signature from that voter. Now, I
6 also know that Georgia, at least in Fulton County, is
7 quite quick at removing somebody from the roll who
8 requests it. And I know that because my own daughter
9 registered in a different jurisdiction and deregistered
10 from Fulton County, and we got a letter that they --
11 the day they received that deregistration request, they
12 removed her from the voter rolls.

13 I have a letter. I have it double checked.
14 But if a voter does not affirmatively deregister and
15 there is not an obligation to affirmatively deregister,
16 then federal law requires that the state where they
17 were resident maintain them on the voter rolls for two
18 federal election cycles. It is a violation of federal
19 law if Fulton County or whatever county were to remove
20 that voter without the voter's permission.

21 MS. KING: Let me -- I agree with you. I
22 think it's a terrible law, but I will say this --

23 MS. GHAZAL: But -- but that means --

24 MS. KING: -- I think --

25 MS. GHAZAL: -- that she's not -- there's no

1 violation here. There's no violation.

2 MS. KING: Well, I think the point, though, is
3 that she had a responsibility to remove herself from
4 the voter rolls if she's going to register in another
5 state, correct?

6 MS. GHAZAL: I don't -- is --

7 MS. KING: That's what you just said.

8 MS. GHAZAL: Is there an affirmative
9 responsibility --

10 MS. YOUNG: There is not.

11 MS. GHAZAL: -- for voters? So there is no
12 affirmative responsibility. Now, I will agree that
13 technically, she was no longer -- when she voted in
14 another -- in another jurisdiction, that means that --
15 that under Georgia law, she should have been -- she
16 should have been reregistered when she returned. This
17 is the sort of case that I would have agreed to a
18 letter of instruction, and not a referral to the AG's
19 office, because I think this is -- because there was no
20 real violation here by the voter, I think that would
21 have been the appropriate measure to take.

22 I was not at this meeting, so I was not able
23 to articulate that at the time. But I think we just --
24 we can't conflate issues here. And because she did
25 not -- she did not violate the law knowingly, it is

1 wholly legal to be registered in multiple states when
2 you move from state to state. That is not a violation.

3 We can't be telling voters you're violating
4 the law because you did not affirmatively deregister.
5 They would violate the law if they voted in -- in
6 multiple states. They would violate the law if they
7 voted in a state where they were not resident. That is
8 absolutely a violation. But we don't have that here in
9 this particular case.

10 VICE CHAIR JOHNSTON: Well, I beg to differ.
11 You can only be a resident of one state. You can only
12 claim one state as residence. You only pay taxes in
13 the state that you reside in, for the most part.

14 And the federal law is -- I -- I don't want to
15 conflate the issue with the federal law and what you're
16 talking about, because that act says that a list is to
17 be composed of eligible voters. And it doesn't say the
18 list is to be composed of ineligible voters, which
19 this -- this person was an ineligible voter.

20 Yes. It says you can -- they cannot be
21 removed without their written request. So the federal
22 law is -- is confused. It's -- it's confused with
23 itself.

24 MS. YOUNG: I apologize.

25 VICE CHAIR JOHNSTON: Right. And there are no

1 restrictions for -- for voting off of the inactive list
2 of voters. So we had an inactive list of voters that
3 is composed of eligible voters and ineligible voters.
4 So it -- it still permits, it allows, it encourages, it
5 tempts people to be registered in multiple states and
6 vote in whatever state they see fit, whatever is most
7 advantageous for whatever their issues are or whatever
8 their desires are.

9 So perhaps we should call the feds and -- and
10 have them fix this law. But nevertheless, this -- in
11 my opinion, this -- this person was in violation of
12 Georgia law because they had lost their residency.

13 CHAIR FERVIER: Any further comments from the
14 board? Dr. Johnston, do you have a motion you want to
15 make?

16 VICE CHAIR JOHNSTON: I would respectfully
17 make a motion to issue a letter of reprimand to this
18 respondent.

19 CHAIR FERVIER: We have a motion to issue a
20 letter of reprimand on Case SEB 2023-005. Is there a
21 second?

22 MS. KING: Discussion. I have a question.

23 CHAIR FERVIER: Yes.

24 MS. KING: Dr. Jan, would you be open to
25 issuing a letter of instruction because there's so much

1 information out there that could be confusing when it
2 comes to what's the right decision? Because I think we
3 all agree that dismissing this is not the right move,
4 but would you be open to a letter of instruction?

5 VICE CHAIR JOHNSTON: Well, I think the right
6 thing is a letter of reprimand, but if the Board
7 wishes, they can move for a letter of instruction. We
8 have thousands of -- of registrants who -- who move and
9 move out of their jurisdiction, but stay on the voter
10 rolls for years and years and years. And -- and then
11 they -- when the time comes to vote --

12 MS. KING: Yeah.

13 VICE CHAIR JOHNSTON: -- they take the
14 opportunity to go back and vote in elections that they
15 really -- in a -- in a jurisdiction where they no
16 longer live, and they're voting for the sheriff,
17 they're voting for the school board, they're voting for
18 commissioners, they're voting for candidates that they
19 really don't take part in -- in working with as -- as a
20 resident of that jurisdiction. And I -- I think
21 this -- this is a -- you know, I don't know the answer
22 to this problem, but -- but there needs to be some work
23 toward a solution, not only at -- at the Congressional
24 level, but in the state.

25 I mean, we've done all that we could at the

1 state level, but we still are bound by some federal
2 laws as far as having to handwrite a request for
3 removal, which is a -- a law that -- you know, an act
4 that was -- it was passed by Congress in 1993, for
5 goodness sakes, you know, that was kind of before real
6 Internet. So -- but whatever, you know, is the vote of
7 the board.

8 CHAIR FERVIER: Well, are you letting your
9 motion stand, or are you revising your motion?

10 VICE CHAIR JOHNSTON: My motion stands.

11 CHAIR FERVIER: Is there a second to issue
12 a -- Dr. Johnston has recommended or made a motion to
13 issue a letter of reprimand on SEB 2023-005. Is there
14 a second?

15 MS. GRUBBS: I'll second it.

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

18 MS. GHAZAL: I would -- I would remind this
19 board that this voter was resident in Georgia. When --
20 every time she cast a ballot in Georgia, she was a
21 valid legitimate resident here. It is not the case
22 where she moved and voted because she wanted to vote in
23 this jurisdiction, but was no longer here.

24 She was a -- a valid resident every time she
25 voted in Georgia. The only violation here was that she

1 did not reregister when she returned because her
2 registration was still on the books.

3 VICE CHAIR JOHNSTON: That's right. She did
4 not reregister, and that is a violation. Indeed she
5 was a --

6 MS. GHAZAL: But that's different from what
7 you just articulated. That is a different violation
8 from what you just articulated as a -- as a bigger
9 problem.

10 VICE CHAIR JOHNSTON: How it -- please
11 explain.

12 MS. GHAZAL: You just -- the -- the problem
13 you articulated was that people remain registered after
14 they -- they are no longer resident and had the option
15 to come back and vote where they were not residents.
16 But that's not -- the facts in this case are not that.
17 The facts in this case are that she only voted where
18 she was a resident at the time.

19 MR. SWANSON: Right. It's -- it's like
20 someone who had never registered in Georgia moves to
21 Georgia from Florida. They haven't registered yet, but
22 they go in and vote, that's -- that's not correct. So
23 she had -- she had left.

24 She had lost her residency. She was not a
25 resident in Georgia, and she came back and -- and

1 established residency. She needs to establish her
2 voter registration again.

3 MS. GHAZAL: And I think the -- the underlying
4 confusion -- well, the underlying uncertainty is that
5 residency is actually a very inexact and -- and a lot
6 of it depends on the mental state of the individual.
7 And the sum of the facts indicate that this individual
8 never considered that she lost residency in Georgia,
9 that her presence in Washington was temporary in her
10 mind, from her -- for her personal perspective, and
11 therefore, she may not have recognized the need to
12 reregister because in her mind, she never lost Georgia
13 residency, which is why I think a letter of instruction
14 would be more appropriate.

15 VICE CHAIR JOHNSTON: You know, when we --
16 when we register to vote, we sign an oath that we're a
17 resident of that state. We sign an oath. We swear
18 that we are a resident of that state.

19 And when we present to the polling place to
20 vote, we again sign an oath that we meet all the
21 requirements and we are a resident of that state. So I
22 don't know, is that a state of mind? It sounds like a
23 reality to me. It's a fact.

24 You sign an oath, and -- and you swear that
25 you're a resident of that state, and that you meet all

1 the requirements to vote in that state in that
2 election.

3 CHAIR FERVIER: It -- my issue with this, I
4 think that there's probably a lot more than her that
5 this would apply to. A lot of people probably do the
6 same thing. And I think that there needs to be an
7 update in the law that says that if you reestablish
8 residency, you need to reestablish your right to vote,
9 but it's just not there. And that's why I --

10 MS. KING: Well, I mean, the law makes it --
11 makes it possible for this to happen.

12 CHAIR FERVIER: Right.

13 MS. KING: Because there's no removal of them
14 from the voter roll. So if they were to go and vote
15 and was alerted that you're no longer on the voter roll
16 because you've moved, then she would know that she has
17 to reregister. So I think it is -- it is kind of a --
18 I do see where there can be some confusion.

19 But at the same time, I -- I also see what
20 Dr. Jan is saying, is that as an adult, you have a
21 responsibility to understand the process and to follow
22 the -- the rules. And so if you left and registered to
23 vote in another state, that means you said that I live
24 in this state, and now you came back to Georgia, and
25 then you're now saying that I live here, you would

1 think that you do have to reregister to vote. I mean,
2 I -- I see both sides of the argument.

3 CHAIR FERVIER: Yeah. I do, too. I -- you
4 know, unfortunately, I mean, 99 percent of the people
5 don't understand that and don't -- aren't involved in
6 elections or anything else. They just don't -- they
7 don't think to unregister when they leave someplace.

8 VICE CHAIR JOHNSTON: Well, I will remind this
9 Board that in 2019, on the Secretary of State's
10 website, there was a caution, a note, a flag on the
11 Secretary of State's website that said, if you have
12 moved from your county or that -- or to another county,
13 then you are no longer a resident of that -- of your
14 prior county and you are no longer eligible to vote.
15 Don't forget to register in your new county of
16 residence, and -- and -- or you will not be able to
17 vote in this election. And it was explicitly stated on
18 their website. Now, mysteriously, it was removed in
19 2021.

20 MS. GRUBBS: Dr. Johnston, this reminds me, I
21 think it was two years ago, maybe, in an election board
22 meeting where you displayed the graphic that said only
23 citizens vote. And we have that -- the big movement
24 and everything afoot of only citizens vote. And I
25 think in people's minds, they think only citizens,

1 like, there's massive people coming across the border
2 and voting, which I'm -- I'm sure that there's that
3 situation in some states where they allow people to --
4 I heard a story the other day of that situation
5 happening in another state.

6 But a citizen means a citizen of that county
7 and of that jurisdiction. So I understand what the
8 situation is here. I just had a conversation with a
9 friend who's got four children. All four children live
10 out of state, and guess what, all four children were
11 still registered in Georgia.

12 You know, so I had to remind them, call your
13 kids, tell them to register wherever they live, but if
14 they don't live here, they don't need to be voting
15 here. So it is a chronic problem.

16 VICE CHAIR JOHNSTON: Yeah.

17 CHAIR FERVIER: We have a motion and a second
18 to issue a letter of reprimand. Any further
19 discussion? All those in favor of issuing the letter
20 of reprimand, signify by saying aye.

21 (Ayes were heard.)

22 CHAIR FERVIER: Any opposition?

23 MS. GHAZAL: Nay.

24 CHAIR FERVIER: Motion carries three to one.
25 Beth, you have other business, is that you?

1 MS. YOUNG: Correct.

2 CHAIR FERVIER: SEB 2021-105?

3 MS. YOUNG: Yes. And this -- this is kind of
4 a procedural issue that we wanted to call to the
5 Board's attention. We were referred in December this
6 case, 2021-105. There were a number of respondents.
7 Mr. Donald Kwan [phonetic], we were pursuing that case
8 as to him. Chatham County was not named or noticed as
9 a respondent in this case. The Board decided to add
10 Chatham County as a respondent.

11 They were not given the proper notice, and --
12 and they were at the hearing for other cases, but they
13 were never provided with any notice that they needed to
14 prepare to defend themselves in this case. So at a
15 bare minimum, if the Board wished to refer a Chatham
16 County charge to our office, the proper procedural
17 thing to do would be for the Board to re-notice that at
18 a future hearing and revote it.

19 CHAIR FERVIER: Which -- when did we hear it
20 for the first time?

21 MS. YOUNG: December 10th, 2025.

22 CHAIR FERVIER: Yeah. So you -- we need to
23 re-notice it and rehear it?

24 MS. YOUNG: If the Board wishes to bring a
25 charge against Chatham. Now, you know, we would point

1 out this is a case in which both Fulton County and
2 Mitchell County were charged with records violations
3 for not preserving documents. And that is the same
4 charge, as we understand it, that you-all are -- had
5 referred to our office pursue against Chatham as well.

6 Chatham was only able to identify the double
7 voters because they have the records. So a records
8 violation does not appear to be a charge that will be
9 sustainable against Chatham. So what we would --
10 what -- what we are doing right now is we're just --
11 we're going to close our file as to Chatham at the
12 present time. We're going to take a second look at it.

13 If the Board finds there's a violation as to
14 Chatham, that it believes should be brought, it could
15 re-notice the case. We -- you know, based on what we
16 have seen, we don't see a basis for -- for bringing a
17 case against Chatham. But that would be up to the
18 Board to decide.

19 VICE CHAIR JOHNSTON: Perhaps we can put it
20 on --

21 CHAIR FERVIER: The next agenda? Well, we
22 will -- without dissent, we'll add that to the April
23 agenda, that case, re-notice it.

24 VICE CHAIR JOHNSTON: Case number?

25 CHAIR FERVIER: SEB 2021-105 for Chatham

1 County. They were added as a respondent. So is that
2 it?

3 MS. YOUNG: All I got.

4 CHAIR FERVIER: Thank you very much, Beth. We
5 appreciate all your hard work and appreciate you
6 showing up and helping us through this. Thank you.

7 MS. YOUNG: No problem. Thank you.

8 CHAIR FERVIER: Thank you very much.

9 MS. GHAZAL: Thank you.

10 MS. GRUBBS: Thank you.

11 CHAIR FERVIER: The chair would entertain a
12 motion for a break?

13 MS. KING: So moved.

14 CHAIR FERVIER: We have a motion. Is there a
15 second?

16 MS. GRUBBS: Second.

17 CHAIR FERVIER: All those in favor, signify by
18 saying aye.

19 (Ayes were heard.)

20 CHAIR FERVIER: We will break for 10 minutes
21 and be back here at -- let's say 20 -- 20 until
22 11:00 -- I mean -- yeah, 10:40.

23 (A recess was taken.)

24 CHAIR FERVIER: This meeting is now back in
25 order. We will now move to my favorite portion of the

1 agenda, which is public comment. Once again, let me
2 remind you, please respect other people's opinions. We
3 will be limited to two minutes, two minutes only.

4 And our executive director, who's a very mean
5 person will keep the time and will gently tap you when
6 you get near the end. He will remind you that -- that
7 your time is up. If you're -- when you're called for
8 public comment, please come down to the podium and
9 introduce yourself for the Board and for the court
10 reporter so we know who you are. And please keep your
11 comments nice.

12 So Mr. Executive Director, please.

13 MR. MILLS: Thank you, Mr. Chairman. Members
14 of the public may speak before the Board on matters
15 coming before the Board. And it says in our agenda of
16 course that the first 30 people will sign up, and we
17 had 30 people sign up. So right on target.

18 Let me go ahead and call the first three. And
19 if you -- if you would like, we would ask the first one
20 come to the mic, then the other two can maybe stand at
21 the base of the steps. You'll have two minutes.

22 So at this time, I'll go ahead and call
23 Lasandria Patterson, Earl Ferguson, and Beth Mercure.
24 You can come on down. And we'll go ahead and --
25 Lasandria Patterson, when you get here.

1 MS. PATTERSON: I'll just stay --

2 MR. MILLS: Okay. You didn't want to sign up?

3 CHAIR FERVIER: There -- there will be a prize
4 for the person who makes the shortest comments. I have
5 a free waffle or hash brown card. Shortest comments
6 wins a -- wins a free waffle or hash brown card so...

7 MR. MILLS: I think Lasandria just won.

8 CHAIR FERVIER: Come on down here, Lasandria.
9 Here's your waffle card.

10 MR. MILLS: All right.

11 CHAIR FERVIER: This second -- the second
12 place prize is for the next person that has the
13 shortest time.

14 MR. MILLS: Mr. Earl Ferguson, if you'll step
15 forward, state your name and -- and begin.

16 MR. FERGUSON: Right here?

17 MR. MILLS: Right here. Yes, sir.

18 MR. FERGUSON: Earl Ferguson, I am a resident
19 of Fulton County. And I have appealed some challenges
20 and this was heard -- some of this was heard that July
21 meetings, but an issue came up -- with Member Johnston
22 about the NVRA elimination or removal of ineligible
23 voters. The NVRA is a convoluted documented. It's
24 frequently confuse.

25 However, it clearly provides two places where

1 you can remove voters for change of address. The first
2 one is paragraph -- it's in Section 8, Paragraph D.
3 And it says there, you can only remove someone after
4 two federal election cycles.

5 The other section -- and the -- and our
6 Georgia Secretary of State has a bulletin out that
7 references -- specifically references that Section D.
8 The other provision in the NVRA is Section C, and it
9 says -- now, I'm quoting from memory, I may be off the
10 little bit -- that the state can provide for the
11 removal of ineligible voters. And it does not require
12 the two federal elections cycles. It is an immediate
13 removal.

14 We have provided that in our Georgia codes,
15 212 -- and I may be off a digit here -- 115 -- 215 and
16 216, where if you're registered in another state,
17 you're no longer eligible. And importantly, in --

18 MR. MILLS: You have ten second.

19 MR. FERGUSON: -- I think it's in 215, it says
20 that once you are ineligible, you should be removed
21 immediately from the voter rolls. Thank you very much
22 for the opportunity to bring that issue to your
23 attention.

24 MR. MILLS: Thank you, Mr. Earl. You're right
25 on time.

1 Let's see. Ms. Beth? And then after her, we
2 have Marisa Pyle, Michael Beach, and Janet Grant, if
3 you would make your way forward.

4 MS. MERCURE: Good morning, Board. Beth
5 Mercure, Cherokee County. The late Judge Paul Nally
6 established the contract with Dominion forced Georgia
7 electors to vote on an illegal casting system. Ballots
8 must be readable by the elector per Georgia law
9 21-2-2-7.

10 Why did Governor Kemp not know this? Why does
11 the Secretary of State not enforce this? Why did the
12 legislators not know this?

13 Why does the State Election Board not know
14 this? Why is Cherokee County Board of elections chosen
15 to abolish an elector's First Amendment rights to
16 question what the human eye cannot read or see, further
17 violation of civil rights.

18 Why is Richard Jordan being unreasonably
19 prosecuted for asking over the unreadable and
20 unverifiable Dominion code? Perhaps it's because
21 Richard delivered over 150 petitions signed and
22 notarized by Cherokee County electors from all 42
23 precincts signing a petition demanding a hand count
24 based on 21-2-495B Cherokee electors mistrust the
25 Dominion voting machines. This was delivered in 2022.

1 Since that time, numerous instances proving
2 that the mistrust was correctly based. Why not use
3 current Georgia law creating lawful trust and
4 transparency? Why not save Georgia taxpayers monies --
5 and -- money in a rigged election process?

6 212437, specifically states, sort, count, and
7 tally at the precincts, by pole watchers, workers, and
8 managers. Let the public have the rightful -- the
9 lawful right to view and count the certification on
10 election night.

11 MR. MILLS: 20 seconds.

12 MS. MERCURE: This is all the right-wing crazy
13 majority Georgia voters want. We want, per the current
14 elected administration, the law followed. Thank you.

15 MR. MILLS: Marisa Pyle.

16 MS. PYLE: Hi, Board. My name is Marisa Pyle,
17 I'm with All Voting is Local.

18 Today, I would like to talk about why it's a
19 bad idea for members of the State Board to accuse
20 people who perjury without evidence. Vice-chair
21 Johnston, in a Tweet referencing rules at this very
22 board wrote last week, and this is original, that
23 someone is lying to the FBI and the courts and
24 incorrectly alleged that ballot damages, were required
25 to be retained in 2020.

1 The very evidence, she included a screenshot
2 of Georgia Rule 183-1-12-.13 on storage of returns,
3 disproves her own accusations. The Georgia rules and
4 reg's website clearly shows that this rule was amended
5 in late 2021.

6 A simple search of SEB meeting minutes shows
7 that this amendment to the rule was posted for comments
8 on August 18th, 2021 and finalized in September.
9 Again, this is evidence available on the same website
10 for the same board for which Vice Chair Johnston
11 currently serves as vice chair.

12 In fact, the evidence for this, is on the next
13 line under the screenshot that you included,
14 coincidentally cut off. To be clear, this is the vice
15 chair of the Georgia State Election Board accusing
16 officials and lawyers of potential federal crimes based
17 on a misunderstanding of the records of her own board.

18 In a normal case, this will be calls for
19 outcry for Vice Chair Johnston. It is Thursday. Vice
20 Chair Johnston either intentionally and chose to ignore
21 this evidence, which should be disqualifying or simply
22 doesn't understand how to read the rules and regs
23 passed by her own agency, which raises serious
24 questions about her ability to carry out her duties.

25 Neither is a great option. It is disturbing

1 when officials are willing throw around serious
2 accusations that could carry criminal penalties, which
3 can be just proven by a five-minute search using SEB
4 records and Control F. I leave you with words of
5 wisdom from Vice-chair Johnston herself, later in the
6 aforementioned posts, "Who is lying and who is
7 repeating the lie." Thank you.

8 MR. MILLS: Michael Beach.

9 MR. BEACH: Yes. Michael Beach, poll
10 management for DeKalb County. I just make -- make a
11 couple of points. First, I'd like to acknowledge the
12 chair for continually having to endure attacks and
13 uncivil behavior as part of his position. We -- we
14 really shouldn't be doing this on this board.

15 It just -- it's unbecoming for all of you.
16 Thanks for sticking with your intent to bring some
17 balance to the board.

18 Second, in the January meeting, Mr. Rossi,
19 complained about the lack of time for rebuttal when
20 somebody presents and given a great deal of time and he
21 was not. I actually agreed with him. And would like
22 to take a step further as new rules and presentations,
23 as we'll see today, are proposed. The rules petitioner
24 should get time to present.

25 Then equal time should be given for rebuttal

1 to the proposed rule. This would mean that the
2 petitioner actually should post their presentation
3 materials one week early so that people can prepare to
4 rebut. This is what I've done in other boards that
5 I've been part of.

6 And so I think this would give us a much more
7 balanced presentation for you folks to make decisions
8 on these rules moving forward because you've heard both
9 sides of the story. Finally, there's a lot of
10 discussion about zero tape, closing pole minutes, all
11 this documents into January meeting and everything.

12 And see, we just, for the first time in DeKalb
13 County got an online training for pole workers, takes a
14 few hours, but it's online. It's really very good.
15 And I think it could be extremely helpful for all of
16 you to go through that.

17 And you would see videotapes, three end of day
18 tapes, all of those things and the paperwork, all of
19 the stuff that's required. I think it'd be really
20 helpful for you to get that kind of baseline
21 information.

22 And I'm not quite out of time yet, so thank
23 you for the discussion on this case about aggressive,
24 belligerent behavior. Please protect pole workers,
25 stand up for pole workers and don't let us stand. We

1 want to stop this aggressive belligerent behavior.

2 So I applaud you for that discussion. It was
3 really great. Thanks so much.

4 CHAIR FERVIER: Thank you. All right. Let's
5 see Janet Grant.

6 MS. GRANT: Good morning. My name is Janet
7 Grant, and I serve as an area pole manager in DeKalb
8 County. I attended the DeKalb Board of Registration
9 and Elections meeting this week and was surprised that
10 there was a discussion and a vote on party questions
11 for the May primary.

12 The county legal counsel raised a concern
13 about one of the three questions that had been
14 submitted by the DeKalb GOP for the May primary, which
15 stated, and I'll quote, "Did you know that the Georgia
16 Republican Party adopted a resolution that stated in
17 part that Brad Raffensperger does not have the faith
18 and confidence of the Georgia Republican Party?"

19 Clearly, the concern was that a question like
20 this would be election hearing, given that he will be
21 on that primary ballot. The Board voted unanimously, I
22 was pleased to see, to deny including this question on
23 the ballot. At the time, I thought this was just a
24 unique situation, but then I learned the next day in my
25 Google feed that on March 13, the previous Friday,

1 Catoosa County voted down three similar types of
2 questions for three different candidates that had been
3 also submitted by the county GOP.

4 This vote was 3 to 1, with one GOP board
5 member voting to approve and one abstaining. Given
6 this, I'm asking you to proactively instruct counties
7 that a question containing a current candidate name,
8 either in support or opposition is in violation of
9 Georgia law as unlawful election airing.

10 Last month, you took action for a voter that
11 was wearing a MAGA hat. This clearly is much more
12 concern. Given there are county boards across the
13 state with super majorities for one party or the other,
14 I'm concerned --

15 MR. MILLS: 20 seconds.

16 MS. GRANT: -- that party questions like this
17 may be approved in violation of state law. And it's
18 too late to avoid election impact after the fact. You
19 could pass the resolution today and communicate this
20 direction to counties. Thank you.

21 CHAIR FERVIER: All right. The next three
22 folks, Marla Tepper, Beth Hendrickson, and Deborah
23 Davis. And we'll hear from Ms. Marla first, if you
24 would come to the podium.

25 MS. TEPPER: Good morning. Thank you for the

1 opportunity to testify. I'd like to share my thoughts
2 on the petition that you will be hearing later this
3 afternoon about prohibiting fees on challenges.

4 First, a procedural concern. The petition in
5 question was not properly posted or made available to
6 the public as required under the Administrative
7 Procedure Act. That's concerning because transparency
8 and public notice are fundamental to public
9 participation.

10 With regard to the petition, I also encourage
11 you to consider -- to consider it fully, and -- and I
12 oppose it. My understanding is that the petition seeks
13 to prohibit counties from charging individuals who file
14 voter challenges any portion of the cost of providing
15 required notice.

16 Under Sections 529 and 530, voters whose names
17 are challenged, are entitled to notice of any hearing
18 that could affect their right to vote, including via
19 first class mail under the Section 529. The costs of
20 that are staggering for counties.

21 In -- in 2022 and 2024, roughly 200,000 voters
22 were challenged. Some challenges list thousands of
23 voters at once. One single challenge included 20,000
24 names, providing notice to that many voters imposes
25 enormous costs and administrative strain on county

1 elections offices.

2 A Cobb County adopted a narrow, practical
3 solutions to this --

4 MR. MILLS: 20 seconds.

5 MS. TEPPER: -- to this problem and charges
6 challenges only for the direct costs of printing and
7 mailing required notices. This mirrors many types of
8 charges imposed by governments and is a neutral way of
9 imposing appropriate costs without burdening counties.

10 I encourage you first to post -- post the
11 petition and otherwise not load it up. Thank you.
12 Thank you.

13 CHAIR FERVIER: Yeah. I want to address
14 something real quick on Rule 19, just so the audience.
15 So when this -- when this Board receives a petition for
16 rule, the Board brings it up at a meeting if they
17 desire, and -- and initially votes on whether or not to
18 initiate rule-making procedures. If the vote -- if the
19 Board votes to not initiate rule-making procedures,
20 then it's dead at that point.

21 If the board votes to initiate rule-making
22 procedures, then it is posted for public comments and
23 is actually heard before the subsequent vote and a
24 subsequent meeting. So there's an opportunity at that
25 point for the public to provide comments and we -- we

1 get hundreds of comments on rules when they come in,
2 when we ask guidance from different organizations on
3 the rules. So there is a time period before this Board
4 votes that it's posted publicly and can make comments.

5 MS. TEPPER: Thank you for that clarification.
6 I would just say even under the Open Meetings law, I
7 think it would benefit the Board and the public if
8 there was a little bit more description of the content
9 of that proposed rule so that the public could have an
10 opportunity to understand what's being discussed. I
11 think that would be helpful to the board and to the
12 public. Thank you.

13 CHAIR FERVIER: Thank you.

14 MR. MILLS: If you would state your name
15 and -- and continue.

16 MS. HENDRICKSON: Yes. My name is Elizabeth
17 Hendrickson and I'm from here in Cobb County. I would
18 like to thank the Board for your time and attention
19 today. I appreciate that you are all concerned about
20 the important topic of maintaining accurate voter
21 rolls.

22 But the heightened rhetoric around supposed
23 widespread mismanagement ignores critical features of
24 the law that protects voters from erroneously being
25 removed from voter rolls. For example, the default

1 legal standard is not to simply remove the voter from
2 the roll merely because they submitted an NCOA.

3 There are other steps that need to be taken
4 according to the NVRA, because the right to vote is so
5 precious that someone shouldn't be removed without
6 further validation and confirmation. This is an
7 incredibly important guiding principle underpinning all
8 of our les maintenance laws.

9 There are complex reasons why voters may file
10 an NCOA. For instance, someone is temporarily moving
11 and desires to receive mail at another location.
12 Removing these voters wholesale would most certainly
13 lead to erroneous removals. Many of the
14 self-proclaimed experts promote tools that sometimes
15 suggests removal based on need and they failed to
16 account for these complex possibilities.

17 Many of those promoting quick or mass removal
18 refused to recognize, despite all the evidence that
19 voter fraud is vanishingly rare and seemed to suggest
20 that if there is doubt, we should err on the side of
21 removing the voter from the roles. I ask you to
22 support, thoughtful, common sense les maintenance
23 policies that follow the law with a presumption that
24 the voters should remain registered. Thank you again
25 for your attention.

1 MR. MILLS: Next, we have a Deborah Davis,
2 Duran Dobson [phonetic], Janice Morrow, and Steven
3 Williamson. If you would, make your way down.

4 MS. DAVIS: Good morning, everybody. I woke
5 up Monday morning feeling like I did not live in a free
6 country anymore. Elections are currently convoluted, I
7 believe on purpose.

8 And I'm questioning the voting -- why the
9 purpose of voting at all mainly. Recent elections
10 reflect voter apathy is increasing. I'm willing to
11 talk to you about logic and accuracy testing.

12 People say, well, they test them. Well they
13 do. They vote them randomly with no plan of votes. So
14 they really don't have a way of knowing if the machines
15 counted as they were voted.

16 There are error standards set by several
17 different agencies. And I'm going to stay with
18 Cherokee because that's my home county and charity
19 begins at home.

20 So I've witnessed in Cherokee County what I've
21 just spoken to you. And not only that, when logic and
22 accuracy testing is finished, they put the machines
23 back, then they have to get them out and load them on
24 the trucks and take them to the poles. Most of the
25 errors in which they exceed the national allowable

1 are -- tend to be mechanical.

2 It's not QR code, it's nothing. It's
3 mechanical. When we got all that moving around, on a
4 touchy mechanical thing, when the machines get to the
5 polls, they are not in the state they were in at --
6 when they were tested.

7 And that's all. Did I win any hash browns?

8 MR. MILLS: Duran Dobson, Janice Morrow.

9 MS. DOBSON: I'm Duran Dobson and I'm waiving
10 my appearance. [inaudible 01:31:48].

11 MS. MORROW: I'm here to win the prize.

12 CHAIR FERVIER: Got to be shorter than a
13 minute-and-a-half, since --

14 MR. MILLS: State your name.

15 MS. MORROW: I'm gluten-free if you have that
16 X-ray. Okay. So here I -- here's the start.

17 My name is Janice Morrow. I live in Cherokee
18 County. Thank you very much for doing these wonderful
19 meetings.

20 You know, I just sat here listening, I said,
21 fascinating information. Everybody's learning. We're
22 all learning as we go through these meetings.

23 And, you know, I know that everyone wants to
24 do what's best, don't you? I do.

25 You want to maintain order and you want to

1 maintain peace. But we're getting to the point of
2 straining the naps, splitting the hair sometime finds
3 penalties, reprimands for legal citizen voters, and
4 sometimes twisting the law happens.

5 How are we addressing the continued violations
6 of the real Georgia law when it comes to elections?
7 Counting ballots at the precincts per the law. Only
8 human readable ballots are part of the law.

9 Okay. I propose retire the machines, only
10 hand mark paper ballots because, you know what,
11 process, policy, procedures, I've written those things.
12 But if you were working on equipment that is faulty, it
13 doesn't matter.

14 God bless you-all. Thank you. Did I win?

15 CHAIR FERVIER: A minute, 20 seconds, you're
16 in the lead.

17 MR. MILLS: We have Steven Williamson. You
18 said no? Okay. I'm sorry. When you waved at me, I
19 didn't know your name, so -- let me -- let me name off
20 three more, Debbie Fisher, Mark Swanson, and Don
21 Hackney, if you would come forward.

22 And we'll let Ms. Debbie Fisher go first.

23 CHAIR FERVIER: Debbie has to recuse herself
24 from winning this prize since she knows me.

25 MS. FISHER: But I also know where the hash

1 browns are, just saying. Debbie Fisher, Cobb County.
2 I'm speaking on behalf of myself and not on behalf of
3 the Cobb Election Board.

4 I would just like to comment on one of the
5 agenda items, and that is the -- what I call a pole tax
6 in order to file a challenge on election rolls. I have
7 been passionate about the election rolls for going on
8 six years. And I can assure you, no matter how
9 diligent counties think they're being in keeping the
10 rolls clean, they are not.

11 I also assure you that there are people who do
12 move out of state, who vote in both states, who do move
13 back. They're on the rolls and all's it takes is them
14 showing up at the pole with their ID and they're
15 allowed to vote. And because of that, voter challenges
16 are very important.

17 You have two -- two state statutes. And then
18 you also have HAVA and MVRA that dictate residencies.
19 And in many cases, these people should be legally
20 removed. You cannot hold two driver's licenses at the
21 same time, you cannot be registered to vote at the same
22 time, and you cannot declare two residencies. Dr. Jan
23 was correct on that.

24 And so with this, I have to say, I am 100
25 percent opposed to the policy my own board passed in

1 Cobb County for charging a person to exercise their
2 right to challenge the voter rolls. How did I do?

3 CHAIR FERVIER: You did -- you're not in the
4 lead, Debbie.

5 MR. MILLS: Mark Swanson, if you would, state
6 your name.

7 MR. SWANSON: Yeah. My name is Mark Swanson.
8 Good to see you-all this morning. Thanks for allowing
9 us a few minutes of your time to speak today. I have a
10 couple of questions.

11 Does the Georgia Constitution have any
12 authority over government? You-all -- you-all can
13 answer --

14 CHAIR FERVIER: Please, don't answer
15 questions.

16 MR. SWANSON: Don't answer questions. Okay.
17 I think the Constitution is really important. Here's
18 what the Constitution says about our elections in
19 Georgia. "Elections by the people shall be by secret
20 ballot and shall be conducted in accordance with
21 procedures provided by law."

22 Here's another question. Are procedures for
23 elections in Georgia provided by Georgia law? There
24 are procedures, right?

25 If any election is not conducted in accordance

1 with procedures provided by law, as our Georgia
2 Constitution requires, what should happen to that
3 election? Number four, who has jurisdiction to enforce
4 Georgia election laws?

5 Here's what our Georgia Constitution provides
6 as an answer to that question. "All government of
7 right originates with the people, is founded upon their
8 will only and is instituted solely for the good of the
9 whole. Public officers are the trustees and the
10 servants of the people, and at all times amenable to
11 them."

12 Furthermore, the Constitution says the people
13 of the state have the inherent right of regulating
14 their internal government. Government is instituted
15 for the protection, security, and benefit of the
16 people. And at all times they, the people, have the
17 right to alter or reform the same whenever the public
18 good may require it.

19 MR. MILLS: 20 seconds.

20 MR. SWANSON: If our local election board, nor
21 this body, nor the Secretary of State, nor the Attorney
22 General will enforce our election laws, who will? We,
23 the people, that's who. Thank you.

24 MR. MILLS: The next, Don Hackney, Elizabeth
25 Farrah, Kristin Nabors, and W.M. Bush.

1 MR. HACKNEY: I'm Don Hackney, a retired
2 Atlanta attorney. Today I hope to dispel one of the
3 misconceptions that we frequently hear in hearings like
4 this. There's a phenomenon in Georgia, like other
5 states, that the number of voter registrations on a
6 county's voting rolls could approach or even exceed the
7 number of voting age adults.

8 At first, this seems strange. But what you
9 never hear is that there's a straightforward and benign
10 reason for that. When the 200,000 or so Georgian's
11 pack up and move to another state each year, they
12 rarely think about contacting their local election
13 board, cancel their registrations. It just doesn't
14 happen.

15 That means their names stay temporarily on the
16 rolls. So to be clear, there's no fraud here and
17 nothing illegal. And this situation is not the fault
18 of the Secretary of State or the county boards. It's
19 just a fact of life.

20 And most importantly, no harm, no foul. This
21 situation virtually never results in someone voting
22 after they moved. Recently, the Secretary of State
23 made a big announcement that their investigations led
24 to a grand total of two criminal cases. In other
25 words, this is simply a minor issue that some folks

1 have used to inflame legislators and the public.

2 Since we all want the rolls to be accurate,
3 though, we do need an orderly process to remove the
4 names of those who have moved. That's where the NVRA
5 comes in.

6 The NVRA provides us with the mandatory legal
7 pathway that states and county boards must, I repeat,
8 must use to remove these names. The Secretary of
9 State's recent purge of over 500,000 registrations is
10 ample evidence that the state can maintain its rolls
11 without new laws --

12 CHAIR FERVIER: 20 seconds.

13 MR. HACKNEY: -- and without the scourge of
14 voter challenges that have caused both substantial
15 voter intimidation and election disruption.

16 CHAIR FERVIER: Thank you.

17 Elizabeth. You may proceed.

18 MS. FARRAH: I'm a little nervous because you
19 cut down my one minute, so okay. I want to thank you
20 for allowing me to speak today. I'm Elizabeth Farrah
21 from Cherokee County, but I was born and raised here in
22 Cobb. And I'm here today to talk to you about our
23 First Amendment rights, which is the establishment of
24 religion, freedom of speech, press, and the right to
25 assemble peacefully.

1 While theoretically you cannot affect those,
2 but you can and do. We see this around the country.
3 And we want to ensure that you, our elected officials,
4 remember our constitution and your responsibility to
5 uphold it, and you do not become one of those threats
6 against the American people. Examples of these
7 violations include the Board of Education arresting a
8 father for calling out the rape of his daughter,
9 January 6th participants being denied them assembling
10 for their grievances, and churchgoers being denied
11 worship during COVID.

12 How does this affect elections? It's not
13 education, churches, or January 6ers. You are
14 violating and can violate elections by denying a poll
15 worker calling out the QR codes, and our forefathers
16 did not write the Constitution and sacrifice their
17 land, possessions, and their lives. Our constitution
18 is not a living, breathing, evolving piece of paper.
19 The Bible does not evolve.

20 Murder is murder. Lying is lying. Our
21 Constitution does not evolve. The Fifth Amendment,
22 your right to self-incrimination is not going to
23 change. Our First Amendment rights do not evolve.
24 They do not change. If you want to speak out against
25 something regarding the Board of Electors, it should be

1 heard.

2 MR. MILLS: 20 seconds.

3 MS. FARRAH: If you want to say something --
4 how many seconds?

5 MR. MILLS: 20.

6 MS. FARRAH: Okay. So if one of our poll
7 watchers has a problem and he wants to express his
8 grievances, he should not be facing charges. Thank you
9 very much for your time.

10 CHAIR FERVIER: Thank you.

11 MS. FARRAH: And I saved a whole minute.

12 CHAIR FERVIER: Kristen Nabors.

13 MS. NABORS: Hello, Board. My name is Kristen
14 Nabors. I'm the State director for All Voting is
15 Local. I know there's a presentation on the docket
16 today about voter role research tools. My
17 understanding that Dr. Rick Richards will be presenting
18 on Ellie.

19 I know he also presented on EagleAI at an SEB
20 meeting about a year-and-a-half ago, where we spoke for
21 nearly an hour and a half to try and convince everyone
22 that EagleAI was a good option. I'm curious to know if
23 Ellie has corrected some of the essential shortcomings
24 of EagleAI that were acknowledged in that meeting.
25 EagleAI did not have access to a lot of the PII that is

1 essential in confirming voter identity, namely the last
2 four digits of the Social Security number, full dates
3 of birth for Georgia voters, or driver's license
4 numbers.

5 If that information is still not available,
6 then Eagle -- Ellie is basically just a rebrand of
7 EagleAI, which has been rejected by jurisdictions large
8 and small, including here in Georgia. EagleAI was
9 built to replicate the work of Eric, but without access
10 to this key data and no government oversight of the
11 program.

12 Our own state elections director said that
13 EagleAI draws inaccurate conclusions, and county
14 officials in Florida that were reviewing EagleAI lists
15 raised questions about their accuracy and their
16 timeliness. And an activist in North Carolina who is
17 actually being trained to use EagleAI complained that
18 the program showed that she herself lived in the wrong
19 city.

20 So I'm looking forward to learning more today
21 about what, if anything, has changed with Ellie. Thank
22 you so much.

23 CHAIR FERVIER: Thank you. Mr. Bush.

24 MR. BUSH: My name is William Ware Bush. I'm
25 an eighth-generation Georgia, and today I talk about

1 the big picture. I've been involved with election
2 integrity at least since 2020, and I hope for real
3 election -- election reform in Georgia. But the
4 political class, and the Office of the Governor, and
5 the Office of the Attorney General, and the Office of
6 the Secretary of State has -- have utterly failed.

7 On the national level, Congress continues to
8 disappoint. The Senate will not pass the Save Act.
9 The last hope for the country is Executive Order 14248.
10 It cannot be put into law without a national emergency.
11 The evidence of Iran and -- and China penetrating our
12 election voting systems in 2020, 2022, and 2024 is
13 coming out this week.

14 The emergency is that we're at war with Iran,
15 who has great cyberattack capability, and China that
16 has a million men that focus on cyber warfare. The --
17 we cannot allow the country's national election to be
18 influenced by our -- our adversaries like Iran and
19 China. So we have to pass the -- the Executive Order
20 14248 will be passed, I believe.

21 MR. MILLS: 20 seconds.

22 MR. BUSH: And you-all will be able to write
23 all of the rules that have it instigated in the great
24 State of Georgia.

25 CHAIR FERVIER: Okay. The next, John

1 Richards, Field Searcy, Ralph O'Connor, and Garland
2 Favorito. Field Searcy.

3 MR. SEARCY: Searcy.

4 CHAIR FERVIER: I'm sorry, Field.

5 MR. SEARCY: Good morning. My name is Field
6 Searcy. I've been before you several times before. In
7 2020, October 2020, U.S. Federal Judge Amy Totenberg
8 declared that the QR code violated Georgia law because
9 it was unreadable by humans. In 2024, the Georgia
10 legislature passed SB 189 requiring the removal of the
11 QR code by July 1st, 2026.

12 In March of 2025, Executive Order 14248 was
13 signed requiring the -- the discontinuation of use of
14 the QR code on our ballots. Yesterday, the Georgia
15 House Governor Affairs Committee offered a substitute
16 bill for SB 214 that will extend and kick the can down
17 the road another two years.

18 Now, before you, here comes Richard Jordan,
19 Cherokee County voter, asking questions about the QR
20 code. I want to remind this board, the last time I
21 spoke before you, I brought a seven-county report.
22 Cherokee is one of the counties in there, and they have
23 numerous errors in their SLOG files. Over 7 -- 1400 QR
24 code errors, and 13 or 14,000 QR code not read, not --
25 not readable on the -- on the ballot.

1 We have a serious problem. I think that's a
2 bigger problem for you today, this board and the
3 Cherokee County Election Office, than worrying about
4 going after Mr. Richard Jordan, who just wants to
5 exercise his First Amendment right and ask questions
6 about our QR code. Please, do something now. This is
7 serious, as Mr. Bush has pointed out. Thank you very
8 much.

9 CHAIR FERVIER: Thank you. Ralph O'Connor.

10 MR. MILLS: Thank you. No -- no clapping. No
11 clapping.

12 CHAIR FERVIER: Come forward, Mr. Ralph.

13 MR. RALPH: Good morning. I'd like to ask for
14 your assistance. You may have heard that Fulton County
15 now has a system in place that they can send text and
16 e-mail messages to all voters, reminding them about
17 upcoming elections, checking on My Voter Page,
18 hopefully solve a lot of these problems with people not
19 updating their addresses. Problem is, most Fulton
20 County voters do not have an email or cell phone number
21 in My Voter Page.

22 So I ask everybody in this room, everybody
23 watching, please use your networks to get the word out.
24 If you're a Fulton County voter or you know somebody
25 who is a Fulton County voter, you want to get these

1 alerts. Please go to My Voter Page, make sure your
2 residential address is correct, and make sure you have
3 a cell phone number and a -- or an e-mail in there.

4 I have another comment. Last month, the Board
5 was dealing with a couple of cases that are fortunately
6 rare, but they exist, of non-citizens voting. One of
7 the suggestions was to have the poll clerks check the
8 driver's license of the voter and see if it says
9 limited term. As -- as a poll clerk, I -- I have a
10 problem with that.

11 You probably know, in Georgia, you can even
12 use an expired Georgia driver's license as -- as
13 evidence when you go to vote. Voters do not have to
14 update their -- their driver's license except every few
15 years. So I work in the immigrant community, a lot of
16 folks get naturalized, they're excited, they want --
17 they register to vote.

18 They go to vote, the databases may not have
19 been updated yet. I don't know how often Save is
20 updated. If they haven't renewed their driver's
21 license, DDS is still going to show them as not a
22 citizen. So the problem --

23 MR. MILLS: 20 seconds.

24 MR. BUSH: -- of verifying citizenship needs
25 to be done before people go to the polls. Thanks very

1 much.

2 CHAIR FERVIER: Thank you. Garian Favorito.

3 MR. FAVORITO: Thank you. I wanted to give
4 you a -- a quick update on what the House Government
5 Affairs Committee did to Georgia voters yesterday and
6 on Senate Bill 214. SB 214 promised to implement
7 handwrote paper ballots and implement -- eliminate QR
8 code voting for 2026. But as I think Field and others
9 have said, the bill was replaced with the committee sub
10 that began to 2028, and exposes voters to new and
11 continued security threats to our unverifiable voting
12 system.

13 The house sub authorizes ballot on demand
14 printing but it has no provision for a ballot
15 identifier needed to help to detect fraudulently
16 duplicated ballots. The sub does not limit BOD
17 printing to only early voting locations that need it.
18 So if a BOD printing fails on election day precinct --
19 at an election day in a precinct, voters will not be
20 able to vote at all. The sub has no requirement for a
21 pre-printed emergency ballots to prevent that fiasco
22 that happened in Arizona in 2022.

23 Worse yet, the sub authorizes the State to buy
24 a new proprietary system and continue secretly counting
25 elections. The sub even allows the State to buy a

1 system that can be remotely accessed from foreign
2 countries during our elections period, just like what
3 happened in 2020 and 2021, based on unrefuted expert
4 witness testimony. The sub has no provisions to
5 mandate audits of all federal general assembly and key
6 statewide races.

7 Audit from one race and/or two every two years
8 does not prove that the other race results are correct.
9 The sub continues the current fake ballot image audits,
10 and instead of auditing --

11 MR. MILLS: 20 seconds.

12 MR. FAVORITO: -- real ballots and its sub
13 continues to fake -- to continue fake machine recounts
14 that just reprint previously verifiable results. We
15 did provide a line by line word changes to correct
16 these problems, along with our voting system security
17 recommendations that I hope you have read. But so far
18 the house has ignored us. It's not the people's house,
19 it is the vendor's house.

20 MS. GRUBBS: Mr. Favorito, I have a question.
21 In the text of the committee sub for 214, do you see
22 the words handmark paper ballots at all?

23 MS. FAVORITO: If I'm not mistaken, there is
24 only at best an option for handwriting paper ballots.
25 I believe that it authorizes another ballot marking

1 device system to be purchased and not have handmarked
2 paper ballots at all with the exception of the absentee
3 voting -- voting.

4 MS. GRUBBS: And you referenced Arizona.

5 MR. FAVORITO: Yes.

6 MS. GRUBBS: And what happened in Arizona with
7 the ballot on demand printing?

8 MS. FAVORITO: The ballot on demand printing
9 failed on election day for a variety of reasons. One,
10 it was never logic and accuracy tested. Two, the --
11 the extent to it to ECO mode, it randomly printed the
12 wrong ballot sizes because it wasn't tested, and it
13 failed. And what happened was it disenfranchised
14 literally thousands of -- of voters, and many believed
15 that it literally changed the outcome of the governor's
16 race in 2022.

17 MS. GRUBBS: So with ballot on demand
18 printing, if there happens to be a power outage at a
19 precinct, what happens?

20 MS. FAVORITO: They would not be able to print
21 the ballots, and that's an extreme concern in election
22 day because you don't have any chance to come back to
23 the polls again.

24 MS. GRUBBS: Thank you so much.

25 MS. FAVORITO: Thank you, ma'am.

1 CHAIR FERVIER: All right. Tamara Favorito.

2 MS. FAVORITO: Thank you. Tamara Favorito
3 with Voter GA. Today, I want to point out to you a
4 conflict of interest issue. All of you will remember
5 the recent case where Fulton County was criminally
6 referred for having -- having missing or unsigned
7 tabular tapes for over 315,000 ballots, among other
8 things. Those uncertified ballots diluted the votes of
9 all other Georgia voters.

10 The attorney, Ann Brumbaugh, who represented
11 Fulton County in that case, is here today for another
12 case because she's the Cherokee County Election Board
13 attorney. I want everyone to understand what a serious
14 conflict of interest this is. The Cherokee County
15 attorney represented Fulton County in a case that
16 diluted the vote of all Cherokee County voters.

17 It's yet another example of how really corrupt
18 our elections have become. Thank you.

19 MR. MILLS: Let's see. Next we have Mark
20 Cook, Lucia Frazier, Rick Schroeder, and Arlene
21 Schroeder. If you will come forward.

22 Mark Cook, if you would go first.

23 MR. COOK: All right. Sounds good. My name
24 is Mark Cook. I'll to go quick here.

25 I'm an election system process and

1 cybersecurity subject matter expert in threat
2 assessment and common-sense mitigation. I'm here
3 because I'm traveling the country trying to help people
4 understand what's actually going on. And I'm going to
5 address a couple of quick things for you.

6 And I'm available to stay any -- any time
7 after today. I'm available the whole day to help you
8 guys out with any information I can possibly give you.
9 I hate watching Georgia repeat the mistakes of other
10 states and what ends up happening is citizens all lose,
11 including you because you're -- you're citizens also.
12 We all are. So we've got to be smarter about this.

13 Ballot on demand failures are very common,
14 power issues, programming issues, equipment failures,
15 and just fraud. So we need to be smart about how we
16 deal with those. The only way to really deal with
17 ballot on demand is not have it, have pre-printed
18 ballots with serialized with full chain of custody.

19 And that way you reduce your attack surface of
20 the system tremendously. Otherwise, you leave yourself
21 open to abuse, and I can go into any more detail you'd
22 like.

23 Also there's issues with our elections for
24 decades. This is not just a 2020 thing at all. So if
25 anyone hasn't seen thelostinterview.com, please go

1 watch that and you'll -- you'll thank them. Anyone
2 that says hand counts aren't 100 percent accurate has
3 never actually taken part in one done correctly.

4 You only need 1 to 2 percent of the voters to
5 tabulate a medium complexity ballot in under four
6 hours. We easily can do it in a four hour period right
7 after the polls close and have results by midnight,
8 just like we did for 150 plus years. We already did
9 it.

10 So anyone saying you can't do it is -- is
11 living in twilight zone because that's what we did for
12 many, many, many years. And anyone that at this point
13 is saying it can't be done is being intentionally
14 ignorant or intentionally fighting against transparency
15 and working to hide elections from the very people that
16 elections belong to, which are the citizens of this
17 nation. Anyone claiming that we don't have widespread
18 election issues is also ignorant.

19 MR. MILLS: 20 seconds.

20 MR. COOK: Thank you. Sometimes being used by
21 an organization trying to perpetuate continued fraud
22 that's been occurring for decades and decades against
23 all of us, even them. So not just about
24 vulnerabilities, but elections in a current state are
25 not able to be verified by the very citizens that need

1 to use them.

2 And our Constitution says, Article 4, Section
3 4, that the State's a guarantee a republican form of
4 government. So we need to abide by that. Thank you
5 very much. I appreciate it.

6 CHAIR FERVIER: Thank you.

7 VICE CHAIR JOHNSTON: Mr. Cook.

8 MR. COOK: Yes.

9 VICE CHAIR JOHNSTON: I saw a demonstration of
10 a Dominion server that showed how easy it is to enter
11 the server through the window sequel server and change
12 votes. Would you be willing to demonstrate that this
13 morning?

14 MR. COOK: I would be more than happy to.
15 Yeah. There are multiple back doors that I found in my
16 forensic investigations that absolutely are back doors
17 in the system that the citizens don't know about, our
18 election officials don't know about, and they need to.

19 Every citizen in the United States of America
20 needs to know what's actually going on in these black
21 boxes, including those that don't like me and -- and
22 think, you know, we're election deniers. Everyone
23 deserves to know the truth, and I'm more than happy and
24 proud to show that to you.

25 VICE CHAIR JOHNSTON: If -- if the board would

1 permit later today in the meeting or after the meeting,
2 I would -- would like to -- for you to demonstrate
3 that.

4 MR. COOK: I'm at your service.

5 VICE CHAIR JOHNSTON: Thank you.

6 MR. COOK: Thank you.

7 CHAIR FERVIER: Lucia -- Lucia Frazier.

8 MS. FRAZIER: Good morning. Lucia Frazier.

9 Regarding the temporary moves and the NCOA, the NCOA
10 that the USPS makes available for comparison contains
11 only permanent moves. There are no temporary moves on
12 this NCOA list.

13 As of March 5th, 2026, the SOS voter roll
14 contains 638,989 registrations for people who told the
15 post office that they permanently moved. They no
16 longer live at that address.

17 It contains 61,313 who had moved to another
18 state and registered at that address. It contains
19 3,126 that vote in Georgia after their official USPS
20 move date. It contains 27,927 who have moved and voted
21 at that new state, but are still on the Georgia voter
22 roll. Thank you very much.

23 CHAIR FERVIER: Thank you.

24 MS. GRUBBS: I think that puts her in front,
25 doesn't it?

1 MR. MILLS: What was her time?

2 CHAIR FERVIER: One minute. We'll get the
3 AG's office to give us a ruling on promoting business
4 in the SEB.

5 MS. GRUBBS: Mr. Chairman, I think next time
6 we just need a Waffle House track out here.

7 UNIDENTIFIED MALE 1: I heard that.

8 CHAIR FERVIER: Okay. Rick -- Rick Schroeder.

9 MR. SCHROEDER: That would be.

10 CHAIR FERVIER: And then Arlene Schroeder.

11 MR. SCHROEDER: Richard Schroeder from Hall
12 County. I had to resign my poll worker position
13 because I was being trained on the Dominion machines
14 again.

15 I'm not going to do another election taking
16 off at 5:30 in the morning, not to mention dragging all
17 that stuff in and setting it up. No, we're going to go
18 back to what he said, 100 -- oh, 200 years, voting on
19 paper ballots. You walk in, you got your name on a
20 piece of paper, and you can sign it.

21 I work the polls at the poll pad. You cannot
22 sign your name on a poll pad the way you sign it on
23 your registration. This has got to stop.

24 We just had the legislator turn down 568, our
25 state legislature, they're responsible for our loss.

1 They went five years not knowing that they were
2 certifying the tab of their case through the Canadian
3 Authority.

4 Field Searcy read it to a Brad Raffensperger
5 in his office. And watch what he -- watch what he did.
6 (Sound effect.)

7 No. If you don't know what you're doing, you
8 got to get out of the office. This is ridiculous what
9 our State's going through.

10 So here we are with the federal level, we want
11 Save America Act. Our two senators, voting against it.
12 They're not Republican senators.

13 They got in on a bad election process. I'm to
14 the point, I'll tell you, I'm fed up. I want to vote
15 and know it's counted, and I want to work the polls to
16 serve my counties.

17 MR. MILLS: 15 seconds.

18 MR. SCHROEDER: I've read this book. I wore
19 this book out. David Hancock know this held together
20 with duck tape. Everybody should know what's in here
21 and he wouldn't be putting up with -- I'm sorry. I'm a
22 veteran. I -- I can't stand this. This is ridiculous.

23 CHAIR FERVIER: Thank you for your service,
24 Mr. Schroeder. We all recognize that.

25 MR. SCHROEDER: Oh, thank you for your --

1 you-all have come so far from when we were here to
2 support Richard Jordan the first time. The place was
3 packed out, 341, standing room only. I just hope it
4 gets justice today.

5 MR. MILLS: Next, Ms. Arlene Schroeder. Pass?

6 MR. SCHROEDER: Can she yield her pass to me?

7 MR. MILLS: Ask the Board. Mr. Chairman?

8 CHAIR FERVIER: I'm looking at the executive
9 director.

10 MR. MILLS: We'll give you a minute and a
11 half.

12 CHAIR FERVIER: But you don't --

13 MR. SCHROEDER: Okay. So our legislator let
14 us down. They're supposed to be responsible for our
15 election laws. Our feds are letting us down, which
16 is -- you know, these people, it wouldn't even be close
17 if we had legal elections. Let's face it.

18 Our election EAC rolls on the voter rolls, 110
19 was when Dr. Jan gave me the first list. The latest
20 list is 111 in Hall County. 111.

21 A typical county is only going to have maybe
22 70 percent. Not everybody gets registered. Here we
23 are at 110, and it goes up to 111. And I'm getting so
24 fed up, I'll tell you.

25 So anyways, as far as the laws, and the acts,

1 and all this, a year ago, our president made a
2 detective -- executive order. And it's tremendous,
3 it's 13 pages, but once you start reading, it's like a
4 good book. It's really good.

5 It wants to go to paper ballots, counting in
6 the public in the county. It's got three fair and
7 honest elections under the Constitution, must safeguard
8 American elections in compliance with federal laws that
9 Americans voting rights guard against, against
10 dilution. Our votes aren't pure.

11 On the cases -- I've been in so many
12 meetings -- our cases, it requires an accurate and
13 current statewide list of legally registered voters in
14 the state.

15 CHAIR FERVIER: 20 seconds.

16 MR. SCHROEDER: Maintaining accurate voter
17 registration list is a fundamental requirement in
18 protecting voters from having their ballots voided or
19 diluted by fraudulent votes. Let's push for our
20 fantastic president who was shot and got back up and is
21 leading the nation. I yield my time to -- who wants
22 it?

23 MR. MILLS: Thank you.

24 MR. SCHROEDER: Thank you. Thank you.

25 MR. MILLS: Mandy Shultz and Max Davis. These

1 are our last two. Mandy Schultz and then Max Davis.

2 MR. CLAVIJO: Max Clavijo?

3 MR. MILLS: Oh, I'm sorry. Max Clavijo. I'm
4 sorry.

5 CHAIR FERVIER: But you can go by Davis if you
6 want to. We're okay with that.

7 MS. SHULTZ: Good morning. My name is Mandy
8 Shultz and I'm a Fulton County voter. I'm glad Member
9 Ghazal is here today, and I want to acknowledge the
10 Chair's recent comments that there's no justification
11 for a State takeover of Fulton County elections, that
12 matters, and I hope that holds.

13 On Monday, mediation between Fulton County and
14 the Department of Justice failed. The -- the federal
15 government refused to return more than 650 boxes of
16 ballots, even under a compromise that would have let
17 them keep copies. This Board helped build that
18 outcome.

19 This Board subpoenaed those same records,
20 couldn't get them through due process, and then invited
21 federal involvement. The FBI raided Fulton County
22 using two members of this Board as witnesses in the
23 warrant affidavit. In February, those same members
24 voted on a measure to access the very records they help
25 federal agents justify seizing.

1 Board members who styled themselves as
2 guardians of election integrity had one job when that
3 conflict arose. Step aside. They did not.

4 On March 27th, a federal court will determine
5 whether shielding the FBI agent who wrote that warrant
6 was, in the judge's own words, "Arbitrary and
7 capricious." That proceeding doesn't pause because
8 we're in a different room today.

9 Yesterday, in a house committee, the public
10 repeatedly objected to giving this board expanded audit
11 authority. And that's because a compromised board
12 receiving expanded power is a problem, regardless of
13 who sought it.

14 The record is clear, the independent monitor
15 reported by this board found no fraud in 2020. The
16 Secretary of the State's investigation, which closed in
17 2024 in May, found no fraud. The results have been
18 counted three times.

19 What's happening here is intentional. It has
20 a name, and that name is not oversight. Its
21 infrastructure built around a predetermined conclusion,
22 financed by public trust, and aimed at Georgia voters.
23 We deserve better. Thank you.

24 MR. MILLS: All right. Max Davis. I
25 apologize, Max. The Y -- I'm sorry, Clavijo. It looks

1 like a D when you read it here.

2 MR. CLAVIJO: I'm sorry.

3 MR. MILLS: It's not your fault. Thank you.
4 All right.

5 MR. CLAVIJO: Okay. I'm Max Clavijo. I'm a
6 board member on the Forsyth County Board of
7 Registrations and Elections. I am not representing the
8 Forsyth BRE this morning.

9 I'm still reeling from what happened in the
10 House Governmental Affairs Committee yesterday. Last
11 year, we went all over the state to six House Blue
12 Ribbon committee meetings. We exercised our right to
13 share our opinions about that, and they came back with
14 a very brief report.

15 And now the result was completely different.
16 We can't say that they did nothing for election
17 integrity in 2026. They did.

18 They made it worse. They removed the deadline
19 for the QR codes. These people in our state
20 legislature must be eunuchs. I don't know what is the
21 matter with them.

22 In the Senate floor on crossover day, Senator
23 Max Burns was speaking on Senate Bill 568, and he said
24 very first words, we're here tonight because for the
25 last two years, the Secretary of State failed to do his

1 job. I agree with him.

2 Now, they say that they are following the
3 advice of their constituents to push out any
4 legislation until 2028. Well, a lot of that influence
5 came from GAVREO. I'm a GAVREO member. You know what?
6 Nobody asked me.

7 There are a lot of GAVREO members that are
8 upset because nobody asked them either. And they came
9 out with this opinion of pushing out the changes until
10 2028.

11 You know what? We do have time to do it. We
12 can implement paper ballots. All we have to do is roll
13 up our sleeves and get to work. And they apparently
14 don't want to do that, but I'm ready to do that.

15 The last thing is, I talked about --

16 MR. MILLS: 20 seconds.

17 MR. CLAVIJO: -- Secretary of State didn't do
18 his job at the last meeting. I think the Board asked
19 for him to appear at this meeting. What? I don't see
20 him. What happened? Thank you.

21 MR. MILLS: Chairman, that concludes our --

22 CHAIR FERVIER: Thank you, Mr. Executive
23 Director. You only get to clap when it's all over
24 with. So just one moment before we'll proceed.

25 All right. We're going to continue with some

1 of the cases now before we have a lunch break. I want
2 to thank everybody for the public comments and for
3 being respectful of those up here that you may or may
4 not disagree with. So we appreciate that as a board.

5 It helps us better understand what everybody
6 is trying to tell us. So we have several cases for
7 potential violations today. There are three that are
8 being recommended to be continued before the Board.

9 Okay. All right. We'll do that. All right.
10 First case in the agenda is SEB 2022-005, multiple
11 counties. It's in your binder.

12 VICE CHAIR JOHNSTON: Mr. Chair, this is a
13 case that has been on -- on the books for several
14 meetings now. It's a multi-county dual registration,
15 dual voting complaint.

16 And the Secretary of State, it was asked to be
17 returned to the Secretary of State for further
18 investigation. They -- they wanted to look further
19 into some of the alleged double registration, double
20 voting.

21 So I would recommend that this be continued,
22 but I would like to -- the public to know and the Board
23 to know that Mr. Blake Evans has agreed to attend the
24 next meeting. So perhaps he could assist in answering
25 questions about double registrations and -- and double

1 voter credit that we see -- we now seem to be finding
2 at almost every meeting we have why we're -- why we
3 have one person registered more than once, who is
4 receiving with two different voter -- at least two
5 different voter registration numbers, sometimes three,
6 and why vote credit is being assigned to one person for
7 two or three voter registration numbers, and how
8 that -- how that can provide us any confidence in the
9 vote counts or the vote tallies for elections.

10 Where -- what does that mean? Should we trust
11 it? Or as I asked last month, I think I said, is this
12 junk data. So but maybe we can ask these questions of
13 Mr. Evans when he's here.

14 CHAIR FERVIER: Are -- is that -- are you
15 making that in the form of a motion?

16 VICE CHAIR JOHNSTON: Motion to continue this
17 case.

18 CHAIR FERVIER: We have a motion to continue.
19 Is there a second?

20 MS. KING: Second.

21 CHAIR FERVIER: We have a motion and a second.
22 Any discussion? Hearing no discussion, all in favor of
23 continuing SEB 2022-005, signify to saying aye.

24 (Ayes were heard.)

25 CHAIR FERVIER: Any opposition? No

1 opposition, so moved.

2 Next item on the agenda is SEB 2025-005.

3 Mr. Mills.

4 MR. MILLS: Secretary of State's Office
5 received a complaint from Suffolk County regarding the
6 November 5th, 2024, general election, where they had an
7 issue with write-in ballots for the Soil and Water
8 Conservation District supervisor race. One qualified
9 write-in candidate received all 1,750 votes in the
10 election, when he should have only received 1,210. The
11 winning candidate's name was not listed on the election
12 summary report.

13 CHAIR FERVIER: There were a couple of
14 statements that were added to the file. I want to read
15 one that just came in recently from Lasandria
16 Patterson. She -- she is the individual involved with
17 this.

18 "Dear members of the SEB, I'm writing to offer
19 my sincere apology for the mistakes I made while
20 carrying out my responsibilities during my first seven
21 months as the elections supervisor. I take full
22 responsibility for my actions and for any concerns or
23 operational impacts that may have caused the board,
24 staff, voters, or other stakeholders.

25 After reflecting on these events, I recognize

1 that several aspects of my performance did not meet
2 professional, procedural, or statutory standards
3 expected in this role. I also understand the critical
4 importance of accuracy, chain of custody, oversight,
5 documentation, and communication, and election
6 integrity.

7 I deeply regret that my misunderstanding of
8 the guidance related to the tabulation of the write-in
9 candidate resulted in all write-in votes being
10 attributed to a single individual. I fully acknowledge
11 the seriousness of this error and the impact it had on
12 the process.

13 Since recognizing the mistakes, I've taken
14 time to carefully review what went wrong and correct
15 the deficiencies. I have begun implementing corrective
16 measures to ensure those actions are not repeated."

17 She then goes on to specifically name a bunch
18 of corrective actions she's taken. And then she says,
19 "I am fully committed to improving processes, seeking
20 guidance where necessary, and maintaining a clear
21 communication moving forward. I welcome any additional
22 feedback or directions the board may wish to provide.

23 Please note that I remain dedicated to the
24 mission of the organization and performing my duties
25 with integrity, diligence, and accountability. I

1 respectfully ask for the opportunity to demonstrate
2 that I have learned from this experience and can
3 continue to contribute positively. Thank you for your
4 time."

5 I wanted to read that in public since she took
6 the time to send that.

7 MS. GHAZAL: She's here.

8 CHAIR FERVIER: Oh, she's here. Well, why did
9 you send the letter then?

10 MS. PATTERSON: I didn't -- well, you just
11 started and then, you know.

12 CHAIR FERVIER: Well, now we know what you're
13 going to say.

14 MS. MASUDA: And I'm Karen Masuda [phonetic].
15 Hayden Hooks is the attorney for Sumter County. She
16 had a scheduling conflict and couldn't be here. She
17 knew I was going to be here anyway, so she asked me to
18 come in and speak for them.

19 Ms. Hooks did send you a letter as well
20 explaining what happened. It was an unusual situation.
21 No name appeared on the ballot for the Soil and Water.
22 It was a -- because it was write-in only, so there was
23 no name.

24 One person actually did qualify as a write-in
25 candidate. So really, only those votes that wrote in

1 that name should have counted. And any other names
2 anyone wrote down, Mickey Mouse, or whoever should have
3 just basically, they -- they were thrown out. They're
4 not counted at all.

5 But when she reported it, basically, if anyone
6 who wrote anything down, they got credited to the one
7 candidate who qualified. This is one of her --
8 Ms. Patterson's first elections. And so we would just
9 ask that a letter of instruction be issued.

10 CHAIR FERVIER: Ms. Patterson, I don't think
11 you can say anything better than your letter said,
12 so -- but you can give it a shot if you want.

13 MS. PATTERSON: No. I think we covered it.
14 I'm sorry.

15 CHAIR FERVIER: Introduce yourself.

16 MS. PATTERSON: I think we covered it.
17 Because I also had a similar letter, but the person
18 covered everything that I was going to mention.

19 CHAIR FERVIER: Any questions from the Board?

20 MS. GHAZAL: Yes.

21 CHAIR FERVIER: Member Ghazal.

22 MS. GHAZAL: Director Patterson, how long had
23 you been on the job --

24 MS. PATTERSON: When this happened?

25 MS. GHAZAL: -- when this happened?

1 MS. PATTERSON: Seven months.

2 MS. GHAZAL: What sort of training -- what
3 sort of training had you been provided up to the -- up
4 to this point?

5 MS. PATTERSON: Up to that point, just hands
6 on. I came into the office, I inherited a problem, the
7 previous staff that walked out. And so I came in
8 February of 2023 -- '24, I'm sorry. And just came in
9 hands on trying to learn the office and conduct
10 elections.

11 MS. GHAZAL: Are there training modules that
12 you were provided to help walk you through some of
13 these processes or did you just really have to do it
14 online?

15 MS. PATTERSON: It's a book that we go
16 through, but when I came in at the time, I only had the
17 assistant of the board chair at the time who stepped
18 into the office just until I was hired. Just going by
19 the guys that she knew and reaching out to surrounding
20 counties, Secretary of State's office.

21 MS. GHAZAL: Would you be willing to work with
22 either a member of this board or a member of GAVREO to
23 help them supplement their training materials because
24 I -- I hope nobody has to walk into an empty office and
25 learn everything from scratch a few months before an

1 election, but I think we have to expect sometimes that
2 happens. And I want to express my thanks to you for --
3 for picking up and doing that and training yourself
4 and -- and reaching out.

5 That's an untenable situation, but I think
6 that maybe some of our training materials need to be
7 supplemented. So I would -- well, this is not
8 official -- I would ask that GAVREO look at -- at the
9 training materials and -- and work with Director
10 Patterson to see if there are areas like these more
11 unusual areas of write-in votes and -- and that sort of
12 thing where there is no qualified candidate, to make
13 sure that voters wills are properly -- properly
14 expressed, and -- and that we can have full faith that
15 our elections are properly run.

16 CHAIR FERVIER: Any other comments in that
17 regards?

18 MS. GRUBBS: Mr. Chairman, I'm -- I'm a little
19 bit confused because this is listed as a self-report,
20 but then there was also another complaint filed, and it
21 was filed by the Coalition for Good Governance on
22 January 10th of 2025. And -- and I completely
23 sympathize with your situation. First of all, let me
24 say it's never good coming into a bad situation and not
25 feeling like you fully have the wind beneath your wings

1 on getting things done.

2 So I'm very sympathetic. But the one thing
3 that concerns me on this is that I'm not seeing -- I'm
4 not seeing this other complaint tied to this. Am I
5 just missing it?

6 There was another complaint submitted from the
7 Coalition for Good Governance, and the reason why I
8 bring that up is that the Secretary of State and the
9 audit contractor enhanced voting, did not pick up on
10 these irregularities in the OCR ballot image audit.
11 And they omitted apparently, as the complaint says,
12 they omitted the Soil and Water District contest from
13 the audit report and from the Secretary of State's
14 official website results, which of course, you would
15 not be responsible for.

16 So I think there -- unless I'm missing
17 something, there's some pertinent details that have to
18 do with the FCR image on it that are missing from this
19 case. And I don't understand why that complaint is not
20 included in this with the same case number.

21 MS. GHAZAL: If -- if I may, remember,
22 perhaps, we actually reviewed that when we -- when we
23 got a presentation of the OCR audit, and they said that
24 in the case of write-ins, it's just -- it's not capable
25 of auditing that a -- a write-in vote or write-in

1 ballots. So that's -- that's separate from this case.

2 And -- and this was initiated January 20 --
3 January 16, 2025. So the issue of the county's failure
4 versus the -- the audit failure, I think we can't
5 conflate the two of them, and they need to be seen as
6 separate cases.

7 MS. GRUBBS: So I need to know if there's a
8 separate case open for the enhanced voting OCR audit on
9 this matter, if it's not included with this.

10 CHAIR FERVIER: We can look into that.

11 VICE CHAIR JOHNSTON: Wait. I have a
12 question. When a write-in ballot is -- is received, is
13 a BMD ballot produced? Is it produced on the -- on the
14 BMD and printed out? So those write-ins, were -- were
15 those write-ins handled that way, or all of those
16 attributed to the --

17 MS. MASUDA: Yeah. What --

18 VICE CHAIR JOHNSTON: -- one write in?

19 MS. MASUDA: What needed to happen is usually
20 you have a panel that reviews the write-ins to see this
21 one is for a correct candidate, this one is for someone
22 who didn't qualify, and separate those out, and that
23 did not happen. So basically, all the votes that were
24 indicated as write-in went to the only qualified
25 candidate.

1 VICE CHAIR JOHNSTON: You mean, all -- all
2 those BMD ballots were given to the one candidate?

3 MS. MASUDA: If they had -- if -- if they had
4 written someone in. If they had written any name in.

5 CHAIR FERVIER: That was my understanding. If
6 they wrote to anybody at all, they were all given it to
7 one candidate because he was the only one that was
8 qualified.

9 MS. MASUDA: It went to one -- to the only --

10 CHAIR FERVIER: Qualified person.

11 MS. MASUDA: -- qualified candidate.

12 CHAIR FERVIER: Right.

13 MS. MASUDA: Yeah.

14 MS. GHAZAL: If I may, write-in ballots have
15 to be hand adjudicated, whether they were -- whether
16 they were a hand mark paper ballot, like an -- an
17 absentee ballot, or a VMD ballot. So they have to be
18 done -- done by hand because the -- the programming
19 can't recognize the writing thing. That's why they're
20 written in, and it wasn't pre-programmed.

21 And in this case, what happened is rather than
22 hand adjudicating every single vote, they -- the
23 director inappropriately and incorrectly just allocated
24 every write-in vote to the one candidate when all of
25 the write-in votes were not for that -- in fact, were

1 not for that. And -- and she subsequently has
2 undergone more training and understands that it has to
3 be hand adjudicated.

4 MS. MASUDA: The -- the results would have
5 been the same since there's only one qualified
6 candidate unless no one wrote his name in. But as long
7 as one person wrote his name in, he won the race.
8 Because any other names that were written in, if they
9 don't -- and it's very hard to become a qualified
10 write-in candidate. There's a lot of stuff.

11 So any other names that were written in,
12 they -- it is basically throwing let your vote if you
13 don't write in someone who is qualified write-in
14 candidate.

15 CHAIR FERVIER: He -- he would have won, but
16 he wouldn't have had 1,700 votes?

17 MS. MASUDA: Correct.

18 MS. GHAZAL: In fact, in most cases, when
19 there is only one qualified candidate, there's no
20 election. So yeah.

21 MS. MASUDA: And I can't remember off the top
22 of my head -- it may only be -- I know in municipal
23 races, but I'm not -- Soil and Water, even it's
24 actually in the agricultural section with their
25 election, so that may be a reason why.

1 MS. GHAZAL: And I would -- I don't know
2 whether or not our attorney general representative
3 would happen to know whether that provision would apply
4 to the Soil and Water and we have to do more -- I -- I
5 would need to do more research, and it only occurred to
6 me sitting here that --

7 MS. MASUDA: Yeah. That --

8 MS. GHAZAL: -- that provision may apply, but
9 I'm not -- I'm not confident.

10 MS. MASUDA: Yeah. Soil and Water, their
11 whole election thing is also in -- it's in Title II.
12 Like, they have a completely different qualification
13 process and everything.

14 MS. GHAZAL: Right.

15 MS. MASUDA: So it's a little bit different.
16 So I couldn't tell you off the top of my head.

17 MS. PATTERSON: I can't either. I'm sorry.

18 VICE CHAIR JOHNSTON: So my question is, were
19 1,750 votes created on the BMD individually for
20 Mr. Clements when he received 1,200 votes?

21 MS. MASUDA: Yes. So those were the number of
22 ballots where something was written in or a name was
23 written in, but not all of them were for him so they
24 should have all been allocated to him.

25 VICE CHAIR JOHNSTON: Were digital images

1 created for Mr. Clements?

2 MS. MASUDA: Yes. And I think that maybe one
3 of the ways this was realized later is because people
4 were -- I don't know if that was the Coalition, but
5 they were looking at ballot images and saw that not all
6 of them had his name on it.

7 VICE CHAIR JOHNSTON: So 500 digital images
8 for Mr. Clements that he really did not receive, that
9 he was -- he was not the write-in candidate were --
10 were made for him?

11 MS. MASUDA: Were credited to him and they
12 should not have been.

13 VICE CHAIR JOHNSTON: Are those digital images
14 in -- in the Dominion system -- in the file?

15 MS. MASUDA: They should be. That year, I
16 believe it is still up on the Secretary of State's
17 website. I can't remember when they started updating
18 their database, but that's a recent enough election, we
19 would still have them.

20 VICE CHAIR JOHNSTON: Are there -- so if one
21 goes to ballot images that is held at the Secretary of
22 State's website these days -- I think that's where it
23 is -- will -- will there be 1,700 ballot images for
24 Mr. Clements?

25 MS. MASUDA: No.

1 VICE CHAIR JOHNSTON: With audit -- audit
2 marks also?

3 MS. MASUDA: There will -- there will be 1,700
4 ballot images that have someone written -- as a
5 write-in.

6 VICE CHAIR JOHNSTON: Right.

7 MS. MASUDA: But not all of them will be for
8 Mr. Clements.

9 VICE CHAIR JOHNSTON: Okay. So am I
10 understand that there was a manual entry of votes for
11 Mr. Clements on the Dominion system?

12 MS. MASUDA: Oh, you mean from the voter or --

13 VICE CHAIR JOHNSTON: For results, tallying
14 reporting did, was there --

15 MS. MASUDA: Yeah. So --

16 VICE CHAIR JOHNSTON: -- a entry of 500 more
17 votes that he actually received?

18 MS. MASUDA: It didn't come in -- well, it
19 didn't come in on the ENR. Ms. Patterson, when she
20 called the Secretary of State and explained, she
21 misunderstood when they said you need to, you know, go
22 through now -- and she took all the write-in votes and
23 allocated them to the one candidate versus going
24 through the review of every single one that basically
25 the system said someone wrote in a name, and then you

1 go through and yes, it is a valid vote, no, this isn't.
2 So that step did not occur.

3 VICE CHAIR JOHNSTON: Was this corrected?
4 If -- if one looks at the vote totals today, is -- has
5 that been corrected?

6 MS. MASUDA: I -- actually, I'm -- I don't
7 know. I'm sorry. Ms. Hooks probably knew that.

8 I would have to go back and -- and look. I'm
9 not sure that it got re-certified since the result
10 would have been the same as far as he won the election,
11 was the only qualified candidate, but I would have to
12 go back and check that. I'm not sure.

13 VICE CHAIR JOHNSTON: Mr. Clements was
14 certified to win -- to -- to receive 1,750 votes rather
15 than 1,210? He was --

16 MS. MASUDA: I believe so. Yes.

17 VICE CHAIR JOHNSTON: He's the certified
18 winner, and that's on record today?

19 MS. MASUDA: I would have to double check
20 that. I couldn't tell you that off the top of my head.
21 I apologize.

22 VICE CHAIR JOHNSTON: Where's Mr. Cook?

23 MS. GRUBBS: Ms. Patterson, let me ask you,
24 when did you actually self-report? The election was
25 November 24th, correct?

1 MS. PATTERSON: Correct.

2 MS. GRUBBS: So when did you figure this out?

3 MS. PATTERSON: I certified because I was
4 trying to get his name on the report so I was -- after
5 not being able to get that on there, I went ahead and
6 called and self-report, but I couldn't get his name to
7 show up.

8 MS. GRUBBS: So you called the Secretary of
9 State's office?

10 MS. PATTERSON: I did.

11 MS. GRUBBS: And so how did they tell you to
12 get his name to show up on the report?

13 MS. PATTERSON: They couldn't -- at that
14 point, we couldn't get it on there. Just the votes
15 themselves showed up. Excuse. We couldn't get his
16 name to show. Even after certifying, his name still
17 didn't show up on it.

18 MS. GRUBBS: The votes did, but not his name?

19 MS. PATTERSON: It wasn't billed in from prior
20 to, and so his name never showed up.

21 MS. MASUDA: Yes. So the report that went on
22 election night basically had the number of votes, but
23 not the name of the winning candidate because that
24 hadn't been adjudicated manually.

25 MS. GRUBBS: So it was certified without a

1 name on there?

2 MS. PATTERSON: That's the election night.

3 MS. MASUDA: That was the election night
4 reporting.

5 MS. PATTERSON: Which are unofficial.

6 MS. MASUDA: Not -- that wasn't the
7 certification. That was the report that went to
8 Secretary of State that night. That's when she
9 realized something was wrong as far as his name did not
10 appear.

11 And then they went through and then my
12 understanding is that when they certified it, then they
13 certified all the votes to that candidate rather than
14 the substance.

15 MS. GRUBBS: I get a vote. You get a vote.
16 We all get a vote.

17 MS. MASUDA: And I'll tell you it's -- it's
18 not common to have qualified write-in candidates. It's
19 very -- it's difficult.

20 MS. GRUBBS: I know. It's a difficult
21 process.

22 MS. MASUDA: Yeah.

23 MS. GRUBBS: It's a difficult case to get on
24 there as a write-in. And I have all the sympathy in
25 the world. And this is kind of what we talked about at

1 one of the election board meetings previously, is that
2 you're looking for help and assistance, and you're
3 sitting in the situation where you're like, what do I
4 do.

5 And then you call the Secretary of State's
6 office and you're at the mercy of getting instruction
7 on what to do. And I'm very sorry that you've had that
8 experience. I can tell that you're a very kind and
9 diligent woman, and I'm sure you don't like this
10 hanging over your head.

11 But for me, this is kind of systematic, an
12 indication of an issue when it comes to election night
13 reporting, when it comes to certification, and when it
14 comes to the enhanced voting audit that was -- wasn't
15 that a perfect audit? Didn't -- didn't we hear that?

16 MS. KING: And this isn't.

17 MS. GRUBBS: So I'm completely sympathetic to
18 your cause, but I think this requires a little bit more
19 looking into the situation and the fact that we have
20 that other -- we have that other complaint. And the
21 other situation is, I know that there were some public
22 records requests made. Were those all timely complied
23 with as far as getting evidence of the --

24 MS. PATTERSON: That came from the --

25 CHAIR FERVIER: Please speak in the microphone

1 so the court reporter can --

2 MS. PATTERSON: I'm sorry. Yes. That came
3 from the Coalition.

4 They asked for that and we did supply whatever
5 they needed, more than they needed. They got jump
6 drives, everything, whatever they asked for, we pretty
7 much gave it to them.

8 MS. GRUBBS: Okay.

9 CHAIR FERVIER: Dr. Johnston? Oh, I'm sorry.

10 VICE CHAIR JOHNSTON: I -- I understand the
11 explanation. I suppose my question would be on -- I --
12 I think this ought to be corrected somewhere in the
13 official record, even though he -- he did win the
14 election, but he didn't win with the amount of votes
15 that have been recorded and recorded for this.

16 And I'm really keen to hear about enhanced
17 voting and why they reported a perfect audit of ballot
18 images. Did they -- did they include these -- these
19 ballot images?

20 MS. GHAZAL: We --

21 VICE CHAIR JOHNSTON: These digital ballot
22 images?

23 MS. GHAZAL: We discussed it in the meeting
24 when they presented because I asked them specifically
25 about their ability to adjudicate and to -- to evaluate

1 write-in votes, and they said that was not part of --
2 they just don't have the capacity to do that.
3 That's --

4 MS. KING: Well, we paid them a lot of money.

5 VICE CHAIR JOHNSTON: I understand, but
6 they -- they did write-in votes, but -- but ballots
7 were duplicated, right? On -- on Dominion, digital
8 duplication of ballots. So there's --

9 MS. GHAZAL: No.

10 VICE CHAIR JOHNSTON: -- in the system.

11 MS. GHAZAL: No. That's -- there's no
12 duplication. When you -- when you go to vote, you have
13 the ability to write-in a candidate for whatever
14 position you want to. In this case, because this was a
15 qualified write-in, then those counted.

16 Like, I -- I've written myself into a -- a
17 position just as a Lark. I was -- I've never qualified
18 as a write-in candidate, so that would be disregarded.
19 But that -- there's no duplication that's necessary on
20 that. It is the original ballot where the voter is
21 able to pull up a -- I -- I assume they can pull up.

22 Yeah. You just type it in. We'll pull up a
23 digital or keyboard. That's the word I was looking
24 for. And that's a single ballot. So there's no
25 duplication that's required.

1 What's required is to review and hand
2 adjudicate to give proper credit to that voter. So it
3 does have to be reviewed. It could -- I assume you
4 could do it by hand with the actual paper ballots, or
5 you can do it on -- on the -- through the EMS.

6 MS. MASUDA: Yeah. I've only seen it through
7 the EMS. And basically, you have the vote review panel
8 and each one pulls up that shows it had a write-in
9 ballot, and they either check that it, you know, went
10 to the correct candidate or reject it.

11 MS. GHAZAL: Right.

12 MS. MASUDA: I'm probably saying incorrectly,
13 but yeah, it was actually on the screen.

14 MS. GHAZAL: Yeah. So doing that -- doing
15 that electronic adjudication means there is -- there's
16 no duplication that's needed. And no duplication would
17 be possible because it's a write-in as opposed to a
18 candidate who qualified in -- in time to be programmed
19 in.

20 VICE CHAIR JOHNSTON: Well -- well, that's odd
21 because I thought I just watched Cobb County vote
22 review panel make ballots for write-in candidates, and
23 they print out a BMD ballot that will have a QR code on
24 it to be scanned. I -- I just watched this. And the
25 other way to do this --

1 MS. MASUDA: And that may be an option.

2 VICE CHAIR JOHNSTON: -- is to make to do a
3 paper ballot. That -- that's sort of the -- I guess,
4 the old way, but to -- to create a paper ballot that
5 then can be scanned. But Cobb County currently creates
6 a new ballot with their vote review panel for
7 write-in -- write-in votes.

8 I'm hearing a different explanation. Which is
9 correct?

10 MS. KING: I would like to add --

11 CHAIR FERVIER: Member King.

12 MS. KING: So there was a rule that we passed
13 and that eventually got shot down that basically
14 allowed the election boards to have a reasonable
15 inquiry, which allowed them to look at documents to
16 verify what they're certifying. And we were told that
17 that was not necessary, that it was unconstitutional,
18 and all of the above.

19 But I listened to this case, and we have
20 someone who was not trained properly. I mean, it's not
21 fair that you were thrown in there without having a
22 proper training process. And as a result, this error
23 was made, which could have been caught if there was a
24 reasonable inquiry.

25 It goes back to us -- this whole demand to

1 certify regardless of whether the information is
2 correct or not. That is absurd.

3 And so the same people that fight against the
4 reasonable inquiry are the same people who say, well,
5 there's always a little bit of fraud. They're the same
6 people who say, we're dealing with humans and there's
7 human error. So if that's the case, then that means
8 that there should be an extra level of checks and
9 balances prior to signing a legal document stating that
10 the election was perfect and without error. It makes
11 no sense to me.

12 To me, it's -- it's the hypocrisy around the
13 arguments that continue to baffle me. So at some
14 point, I do think that we need to revisit that. And I
15 mean, I would hope the legislature would do it, but
16 clearly, they're dropping balls all over the place. So
17 I -- I absolutely think that that's a rule that should
18 be revisited by our legislature.

19 Our -- our election officials, our election
20 board members who are signing these legal documents
21 should be able to look at the -- the information that
22 they are approving and that they are saying is correct.
23 And anybody who opposes that must believe that there is
24 absolutely no way there could be any fraud in our
25 elections if you're asking our board to sign this

1 document without looking at anything to prove that what
2 they're signing is accurate. That's absurd.

3 MS. GRUBBS: I understand that. When this
4 came up, did you -- did you do a hand count
5 immediately?

6 MS. PATTERSON: No.

7 MS. GRUBBS: Did you ever do a hand count?

8 MS. PATTERSON: At the request of the
9 Coalition, I did a hand count.

10 MS. GRUBBS: Okay. And then --

11 MS. PATTERSON: I'm sorry.

12 MS. GRUBBS: -- and as far as documents and
13 things that were requested in support of this, you said
14 you responded to those immediately, you got them
15 everything they needed. Now, again, this was the
16 November election, correct?

17 MS. PATTERSON: Yes.

18 MS. GRUBBS: The information that I got is
19 that it was into February before --

20 MS. PATTERSON: It started in January when
21 they sent their open record request, and so we
22 responded on the February.

23 MS. GRUBBS: Not until February, though.

24 MS. PATTERSON: Oh, I'm sorry. I'm sorry. It
25 started in January when they sent their original open

1 record request, and I responded accordingly.

2 MS. GRUBBS: But not until February.

3 MS. PATTERSON: No, in January we started
4 getting them documents.

5 MS. GRUBBS: Okay. And let me ask you this,
6 did anybody from Advanced Voting contact you at all?

7 MS. PATTERSON: Not that I can recall.

8 MS. GRUBBS: So when there was an issue with
9 it and they --

10 MS. GHAZAL: Mr. Chairman.

11 CHAIR FERVIER: Member Ghazal.

12 MS. GHAZAL: I would like to request that we
13 deal with the case in front of us, which is the -- the
14 problem that the County had that they self-reported.
15 The case we -- we don't have certification rules in
16 front of us. We don't have --

17 MS. KING: It applies. It applies.

18 CHAIR FERVIER: One at a time, please.

19 MS. GHAZAL: These are -- I'm sorry that
20 you're being treated a little bit as a -- a political
21 punching bag right now.

22 MS. GRUBBS: It's not a --

23 CHAIR FERVIER: I'm sorry. I'm sorry, please.

24 MS. KING: We're not going to allow that --
25 don't --

1 CHAIR FERVIER: Please -- the only time --

2 MS. KING: -- don't -- you're not going to
3 make it seem like this is a political move when we're
4 stating a rule that if it was in place, it would have
5 caught this. It absolutely relates. This is not
6 against her.

7 We are not a punching bag. We're not creating
8 a punching bag. What we're doing, we're stating the
9 obvious.

10 And I don't like that, don't do that. Do not
11 turn this into something it's not.

12 CHAIR FERVIER: Please --

13 MS. GHAZAL: We don't have -- the case in
14 front of us is dealing with -- with your -- your
15 actions and your self-reporting, which you did. There
16 is another case that has not yet been presented to us
17 that the -- the Coalition filed. When -- when that
18 case comes up, some of these questions, I think will --
19 we will be able to answer that.

20 But because the County has not been given
21 notice that any of that is part of what they need to
22 respond to here, it is a violation of -- of our
23 Administrative Procedures Act to be putting them on the
24 record and holding them accountable for something they
25 haven't been given notice for --

1 MS. KING: You're --

2 MS. GRUBBS: I'm trying to just determine
3 whether or not when it comes to a vote for whatever
4 happens with Ms. Patterson, and I give -- my heart goes
5 out to you. And unfortunately, you know, we hear all
6 the time about poll managers and election officials
7 being treated unfairly. They're also being treated
8 unfairly by the Secretary of State's Office by not
9 ensuring they're properly trained.

10 They're also -- so I want to be sure that when
11 it comes up for a vote, that I know when I -- that when
12 whatever happens with this case, however the Board
13 decides, I want to be sure we have this set to the side
14 to deal with the lack of precision with enhanced voting
15 when these audits are shoved down our throats all the
16 time.

17 Like, they're doing the election night
18 reporting, they're doing the audits. That's, number
19 one, a conflict of interest.

20 And number two, I want to be sure that this
21 continues to get to the bottom of what happens, even
22 though I understand, Ms. Patterson, and my heart goes
23 out to you, I'm not trying to create any enmity here.
24 But I also don't want you to be a punching bag for
25 state officials that aren't doing their job.

1 MS. KING: Exactly.

2 MS. PATTERSON: I agree with that 100 percent.

3 MS. GRUBBS: Thank you.

4 CHAIR FERVIER: The Chair would entertain a
5 motion on this case.

6 VICE CHAIR JOHNSTON: I have one more
7 question.

8 CHAIR FERVIER: Yes, ma'am.

9 VICE CHAIR JOHNSTON: Ms. Patterson, did you
10 have a risk limiting audit performed?

11 MS. PATTERSON: We did. We did.

12 VICE CHAIR JOHNSTON: Did -- was this
13 included -- were these -- this -- these ballots
14 included in the risk limiting audit?

15 MS. PATTERSON: They were.

16 VICE CHAIR JOHNSTON: And what was -- was
17 there an unusual result? Was it -- was it a positive
18 finding?

19 MS. MASUDA: Okay. The risk limiting audit
20 wasn't for each race, though.

21 CHAIR FERVIER: Chair will entertain a motion
22 at this point.

23 MS. GHAZAL: I would move that we issue a
24 letter of reprimand because it was a significant error,
25 and it does tend to undermine the confidence of -- of

1 voters when this sort of thing happens. But you
2 self-reported and you have done a tremendous amount of
3 work to make sure this doesn't happen again, and I
4 appreciate that.

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

7 VICE CHAIR JOHNSTON: Second.

8 CHAIR FERVIER: We have a motion and a second.
9 Any discussion?

10 VICE CHAIR JOHNSTON: Yes. I -- I almost
11 would like to make an additional -- if -- if the advice
12 was given to Ms. Patterson by the Secretary of State,
13 perhaps they need a letter of reprimand also.

14 MS. KING: I agree.

15 CHAIR FERVIER: We -- we can't do that without
16 giving an opportunity to respond appropriately. So if
17 you want to file a complaint, then we could do that,
18 but we can't do it without having -- giving an
19 opportunity to respond.

20 So the -- we have a motion to issue a letter
21 of reprimand and a second. Any further discussion?
22 Hearing no further discussion, all those in favor of
23 issuing a letter of reprimand signify by saying aye.
24 (Ayes were hard.)

25 CHAIR FERVIER: Any opposition? Hearing no

1 opposition, so move. The letter of reprimand will be
2 issued on that.

3 MS. GRUBBS: Mr. Chairman?

4 CHAIR FERVIER: Yes, ma'am.

5 MS. GRUBBS: I would like to make the motion
6 that a complaint is opened in this case on the residual
7 issues involving enhanced voting and the direction
8 given to Ms. Patterson from the Secretary of State's
9 office.

10 CHAIR FERVIER: There -- there's no reason
11 to -- for the Board to vote on that. If an individual
12 wants to file a complaint, then that is appropriate. I
13 think that it would cause an issue for this board to
14 vote en mass to file a complaint and then to hear the
15 complaint.

16 So I think that we -- I think the -- I'm --
17 I'm okay with the filing with the complaint. I just
18 think that that needs to happen without this board
19 voting to file a complaint.

20 MS. GRUBBS: Ms. Ghazal, do you have any
21 advice?

22 MS. GHAZAL: I agree because if we vote on
23 opening, then we have to recuse so...

24 MS. GRUBBS: Okay. I just wanted to be sure
25 that it's on the record so when the minutes come

1 around, that this is not forgotten about. So I
2 appreciate that instruction and we'll act accordingly.

3 CHAIR FERVIER: Okay. Please don't leave.
4 You're next on the agenda.

5 Next item on the agenda is SEB 2024-117.
6 Sumter County, problems of polling places. It is in
7 your binder. There is a nice letter in there from
8 Ms. Patterson that I will not read.

9 MR. MILLS: The Secretary of State's Office
10 opened this investigation after it was reported that
11 during the general primary runoff election on June
12 18th, 2024, all polling precincts in Sumter County did
13 not have the correct poll worker access cards for the
14 ballot marking devices, the BMD machines. It was
15 further discovered that two polling precincts did not
16 have the correct number of emergency ballots and two
17 polling precincts were missing the ballot scanner box
18 security key.

19 CHAIR FERVIER: The respondents in this case
20 are Sumter County Board of Elections and Registration,
21 Ms. Lasandria Patterson and Mr. Wesley Brown. He's a
22 respondent. Are you here representing Mr. Brown?

23 MS. MASUDA: No. He was a third party
24 contractor, so he was actually not an employee of
25 Sumter County. They had used this third party

1 contractor to assist with the, I guess, programming the
2 cards, which -- okay.

3 Ms. Hooks, I believe, also provided you a
4 letter regarding this. As far as we're aware, no one
5 was unable to vote.

6 People that were at the polls were able to use
7 emergency paper ballots. I think it took about 30
8 minutes to get, I believe -- I don't know if it was the
9 cards were switched or they were programmed to get the
10 correct cards to the correct precincts and to get the
11 extra supply of emergency ballots. But as far as we
12 are aware, no one was unable to vote, and it was a
13 matter of the wrong cards going to the wrong place --

14 MS. KING: And they did open on time.

15 MS. MASUDA: Yeah. And -- and the precincts
16 did open on time.

17 CHAIR FERVIER: Mr. Brown did submit a letter,
18 which I won't read. It's rather lengthy. He was --
19 this letter says he was unable to attend the February
20 18th meeting. I'm not sure -- is Mr. Brown here by any
21 chance? No. Okay.

22 Would you like to explain what occurred?
23 Would you like to explain what occurred for the Board?

24 MS. MASUDA: Our understanding is either the
25 wrong cards went into the wrong bags, I believe, to the

1 wrong precincts. So they had to basically be able to
2 get the -- the precincts open on time. If people were
3 there, they were given an emergency ballot while staff
4 ran out to get the correctly pre-programmed cards for
5 that -- each of those precincts. And that took about
6 30 minutes to travel and get those out.

7 CHAIR FERVIER: Any questions from the Board
8 for the respondents?

9 VICE CHAIR JOHNSTON: A question. There -- in
10 the report, it says there were five emergency paper
11 ballots to be used. How -- how many voters were
12 presenting that could not vote at these two --
13 apparently, two polling precincts were short of
14 emergency paper ballots?

15 MS. MASUDA: Yes. They -- they were short and
16 not enough of the emergency paper ballots. That was
17 part of when they went out to the precincts was to
18 bring more paper ballots.

19 But there weren't people waiting for paper
20 ballots. So there was no one who was waiting or
21 missing, but they were within the 30 minutes supply
22 with the proper amount.

23 VICE CHAIR JOHNSTON: Okay. And it's also
24 reported that all 11 polling places BMD machines were
25 not working.

1 MS. PATTERSON: The security key. The
2 security key that we opened up the scanner box, those
3 wasn't programmed as well. It was the cards that they
4 needed that wasn't done by the tech.

5 VICE CHAIR JOHNSTON: I believe this says the
6 BMD machine. It's not the scanner machines.

7 MS. MASUDA: Yeah. That was the card to get
8 it up and running for each precinct. So that's why
9 they used the emergency paper ballots until they got
10 those cards out so that those could be opened. The
11 county no longer uses third party contractors, now it's
12 staff.

13 VICE CHAIR JOHNSTON: Well, part of the report
14 says that if there was an issue with the staff actually
15 putting the correct equipment in the bags for this
16 third party contractor. It seems -- it appears that
17 his statement claims that he was not compiling these
18 bags.

19 MS. PATTERSON: Okay. He didn't do the bags.
20 Everything went out. The poll managers picked their
21 bags up the day before, and all of the poll worker card
22 and the items inside of the bag.

23 Just that when they got to the precinct the
24 next morning, that neither one of those was programmed,
25 so that way they couldn't use the cards that they

1 needed. And so that's when the provisional ballots was
2 used.

3 MS. GHAZAL: Mr. Chairman.

4 CHAIR FERVIER: Member Ghazal.

5 MS. GHAZAL: I'm saying this for the benefit
6 of any counties that may be watching. That it was
7 exactly the -- the correct procedure to immediately
8 move to -- to the emergency paper ballots. We've seen
9 cases before where counties take a fairly significant
10 amount of time to make that switch. So I thank you for
11 doing that correctly.

12 And just a reminder that the -- the 10 percent
13 limit of emergency paper ballots, every precinct should
14 have the same number of emergency paper ballots as 10
15 percent of the -- the registered voters for that
16 precinct. That is a floor, not a ceiling. That is the
17 minimum number that they should have.

18 There is nothing prohibiting them from having
19 more than that.

20 MS. MASUDA: And that -- that is an error that
21 the County recognizes occurred. Thank you.

22 VICE CHAIR JOHNSTON: All right. And -- and
23 there was a missing scanner box security key. So
24 that's why that did not work, right?

25 MS. PATTERSON: That's correct.

1 VICE CHAIR JOHNSTON: And the report states
2 that the BMD voting resumed at 10:00 a.m. That's more
3 than 20 minutes.

4 MS. PATTERSON: Well, we have 11 precincts and
5 they're all over the county, out in the side of the
6 county. So we had to travel the distance to get to
7 them.

8 MS. MASUDA: Okay. Sorry. That was the
9 information I received from the folks.

10 CHAIR FERVIER: Any further questions? The
11 Chair will entertain a motion. Anyone? Anyone?

12 MS. GHAZAL: I would move that we issue a
13 letter of reprimand.

14 CHAIR FERVIER: We have a motion to issue a
15 letter of reprimand.

16 MS. KING: Second.

17 CHAIR FERVIER: We have a second. Any
18 discussion? Hearing no discussion, all in favor of
19 issuing a letter of reprimand, SEB 2024-117, signify by
20 saying aye.

21 (Ayes were heard.)

22 CHAIR FERVIER: Any opposition? Hearing no
23 opposition, letter of reprimand will be issued. Thank
24 you, Sumter County. Safe travels back home.

25 MS. PATTERSON: Thank you.

1 CHAIR FERVIER: Thank you. Next item on the
2 agenda is SEB 2025-023, Meriwether County.

3 MR. MILLS: The Office of the Secretary of
4 State received the following complaint allegation
5 concerning the November 5th, 2024, special election in
6 Lone Oak, Georgia. The complainant, Randa Hartman,
7 reported that the City of Lone Oak called for a special
8 election to fill a city council seat for Post 2. The
9 complainant qualified to run for the seat, and she was
10 unopposed.

11 Ms. Hartman later learned from the City that
12 they may not hold a special election for the seat and
13 instead make it an appointment. Ms. Hartman states
14 that she should have taken office on January 1, 2025.

15 CHAIR FERVIER: The respondent in this case is
16 City of Lone Oak and Debbie Watson, former city clerk.
17 Yes, ma'am.

18 MS. JENKINS: Good afternoon, members of the
19 board. My name is Catherine Jenkins. I'm the city
20 attorney for Lone Oak -- or I should say, county
21 attorney. But we have recognized that -- that mistakes
22 were made during the -- during that special election.
23 I'm not sure if you were able to get a letter that I
24 sent.

25 It was fairly recent, so it might not have

1 made it in your packets, but I just wanted to explain a
2 little bit about --

3 CHAIR FERVIER: It is.

4 MS. JENKINS: -- what -- what had occurred.
5 So we -- the City of Lone Oak, we -- I think our
6 population is about maybe 220 citizens in the -- in the
7 town. And unfortunately, there was some personal
8 issues with the city clerk who is the only employee of
9 the -- of the town. She also is the election
10 supervisor.

11 And when she -- there was a lot of
12 miscommunication between members of the council and
13 Ms. Watson, the former city clerk. So all of this was
14 going on and everybody was just trying to figure out
15 what happened. I believe Ms. Randa Hartman was seated
16 right after the next city council meeting after the
17 1st.

18 So I think she -- the effect of it was that
19 she did -- she was present, but she just didn't vote at
20 one of the meetings. I believe that was the -- the
21 impact as far as that goes.

22 But we just ask that, and -- and again, we
23 wanted to inform you that we've got a new city clerk,
24 we've got a new mayor. And I was not the city attorney
25 when all of this was going on. So I came in after the

1 fact.

2 And we are just trying to make sure that any
3 kind of elections that happen in the future are done in
4 accordance with the law.

5 CHAIR FERVIER: Any questions on this case?

6 VICE CHAIR JOHNSTON: Is the complainant here?

7 MS. JENKINS: I don't believe so. She decided
8 not to seek reelection, so she is no longer a member of
9 the board.

10 VICE CHAIR JOHNSTON: The report suggests that
11 she was being prevented from taking her seat; is that
12 correct?

13 MS. JENKINS: It was -- yes. During the
14 period -- I was -- I was named the official city
15 attorney in December, and I had asked the city clerk
16 for information about the election and what was going
17 on. She said she would send it to me. She never did.

18 And then when we got to the next -- or the
19 next city council meeting, she didn't have that. And
20 so my -- my recommendation to the board was because we
21 didn't have any paperwork, we didn't have the dedimus
22 from the Secretary of State's office, noting that she
23 had actually -- that any of that had been done, which,
24 again, during the investigation, we found out that the
25 city clerk did not, in fact, do what she was required

1 to do. So we didn't have that paperwork.

2 So because of that, my recommendation was that
3 the board not -- that -- that she be there, but not
4 vote on any city council meetings until we could
5 clarify her position. And we -- we were later given
6 enough information to determine that she -- if she was
7 not proper -- if it was not properly done, then she
8 would have, but it -- it should have been properly
9 done. So she should have been seated, but it was just
10 trying to get all that information in.

11 VICE CHAIR JOHNSTON: My -- my concern is that
12 somebody that was -- that was indeed elected to a
13 position and then not allowed to take that position, it
14 is concerning that her complaint suggested it was
15 intentionally delayed.

16 MS. JENKINS: My -- again, my -- mine was just
17 based on the fact that we didn't have -- the city clerk
18 couldn't produce any of the information. And so that
19 was -- that was my recommendation was because we
20 couldn't verify that she had been -- been duly
21 qualified and -- and gone through the procedure that
22 allowed her to -- to take office, that -- that it
23 wasn't done.

24 Another thing, I don't know if it was in the
25 report, but we found out -- and I don't remember if it

1 was at that -- at that first meeting in January, which
2 happened just a few days after the 1st of January, or
3 if it was at the next one, the next city council
4 meeting the next month, which was that she had gone to
5 the probate judge, and that was out of alignment with
6 what the charter stated, which is the charter stated
7 that the swearing in should have been done by the city
8 attorney.

9 And so that was another reason why I didn't
10 know what had been done. And -- and again, we just
11 didn't have the right paperwork to -- to make that
12 verification.

13 CHAIR FERVIER: Any further questions from the
14 Board? Chair will entertain a motion.

15 MS. KING: I make a motion that we issue a
16 letter of reprimand.

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

19 MS. GRUBBS: I'll second that.

20 CHAIR FERVIER: We have a motion to issue of a
21 letter of reprimand on SEB 2025-023. Any discussion?
22 Hearing no discussion, all those in favor, signify by
23 saying aye.

24 (Ayes were heard.)

25 CHAIR FERVIER: All those opposed?

1 (Nays were heard.)

2 CHAIR FERVIER: We have a vote of 2 to 2.

3 MS. GRUBBS: You're it.

4 CHAIR FERVIER: The Chair will exercise his
5 right to vote and will vote aye.

6 MS. JENKINS: Thank you.

7 MS. GRUBBS: Thank you for being with us.

8 CHAIR FERVIER: Which one -- which one am I?

9 MS. KING: I think that's -- was that, like,
10 the first time we voted together?

11 CHAIR FERVIER: Maybe. The next item on the
12 agenda is SEB 2024-154, Meriwether County. This is a
13 very complicated case with potential significant
14 criminal issues involved with it with multiple people,
15 not just the respondent.

16 The respondent is Sasha Williams. Is
17 Ms. Williams here?

18 I have had discussions with the attorney
19 general on this case because of the potential for
20 multiple criminal violations, potential criminal
21 violations. And I would like to make a recommendation
22 to the Board that we refer this to the GBI and to the
23 district attorneys for further investigation because
24 this is -- like I said, there's multiple criminal
25 potential here, so -- and the Chair will make that

1 motion at this point. There's no need to second that
2 motion.

3 Although, is there any discussion?

4 MS. GRUBBS: Mr. Chairman -- I'm sorry. Go
5 ahead, Dr. Johnston.

6 VICE CHAIR JOHNSTON: Go ahead.

7 MS. GRUBBS: I would just like to say with
8 this complaint that Investigator Parrott did an
9 outstanding job on this from the Secretary of State's
10 office. It's very complicated multi-county complaint,
11 and I would just like to -- to make that point.

12 CHAIR FERVIER: Dr. Johnston?

13 VICE CHAIR JOHNSTON: I -- I would second
14 that. And I'd like to name the counties that the
15 district attorneys should be informed also. That would
16 be Meriwether, Columbia, Ben Hill, Screven, Dooley,
17 Houston, Jones, Bryan, Whitfield, Effingham, and Worth
18 County.

19 CHAIR FERVIER: And that's not prosecution for
20 them necessarily. It's for the other individuals
21 involved in this case, so which there are essentially
22 multiple individuals.

23 So any further discussion? Hearing no further
24 discussion, all those in favor of sending this directly
25 to the GBI, and AG, and district attorneys signify by

1 saying aye.

2 (Ayes were heard.)

3 CHAIR FERVIER: Aye. The Chair votes aye.

4 Hearing no opposition, so moved.

5 Now I want to do one more case, Irwin County,
6 so that Irwin County can go home if they're here, or
7 whoever's here from Irwin County. They just have one
8 case.

9 The next item on the agenda is SEB 2024-068,
10 Irwin County, giving food for votes. The respondent in
11 this case is LaRounda Thomas. She online? Ms. Thomas?
12 Where can we see her?

13 UNIDENTIFIED FEMALE 1: Well, we can only --
14 only hear her.

15 CHAIR FERVIER: We can only hear her. Can we
16 turn her up? Ms. Thomas, can you speak?

17 MS. BESS: Hi. Good afternoon. My name is
18 Danielle Bess. I'm the attorney for Ms. Thomas, but
19 Ms. Thomas is also on the line.

20 CHAIR FERVIER: Okay. One moment, please.
21 Would you read the case, please?

22 MR. MILLS: I sure will. This is Case number
23 2024-068. The Office of the Secretary of State
24 received the following complaint during May 21, 2024,
25 general primary election.

1 An allegation was made that LaRounda Thomas, a
2 candidate for Irwin County probate judge, offered food
3 as an enticement for people to vote. This is a
4 potential violation of OCGA 21-2-570, titled, giving or
5 receiving, offering to give or receive, or
6 participating in giving or receiving of money, gifts
7 for registering as a voter, voting or voting for a
8 particular candidate.

9 CHAIR FERVIER: If the respondent would like
10 to speak?

11 MS. BESS: Yes. Are you able to hear us?

12 CHAIR FERVIER: Yes.

13 MS. BESS: Okay. Thank you. Good afternoon,
14 members of the board, and thank you for the opportunity
15 to speak. I am Attorney Danielle Bess, and I represent
16 Ms. LaRounda Thomas, and I want to begin by addressing
17 this matter directly and candidly. There's no dispute
18 about what occurred.

19 Ms. Thomas made the Facebook post at issue on
20 April 28, 2024. She has acknowledged that from the
21 very beginning. Importantly, as indicated in the
22 investigator's report, she was fully honest and
23 cooperative with the investigator, and she did not
24 attempt to minimize or conceal her actions at any
25 point.

1 As reflected in the investigative findings,
2 she provided a statement and cooperated fully
3 throughout the process. What is equally important is
4 the context in which this occurred, and we just want to
5 give you a little information about the context.

6 At the time, Ms. Thomas was a local candidate
7 for probate judge in Irwin County. She is not a
8 lawyer. This was only her second time running for
9 public office.

10 She did not have a benefit of an experienced
11 campaign advisor or legal guidance. She was navigating
12 the election process on her own with the simple goal of
13 encouraging voter participation in what she anticipated
14 to be a low turnout election.

15 Her intent was not to influence how anyone
16 voted. Her intent was not to exchange anything of
17 value for votes.

18 Her intent was to encourage people to show up
19 and participate in the democratic process. The offer
20 of a hot dog or hamburger was meant to encourage that.
21 She did not send this message to a select group of
22 people.

23 It was communicated in an open Facebook post.
24 It was not an offer to people who voted for her. It
25 was an offer to anyone who voted.

1 The other purpose of her office was simply to
2 help someone who had recently opened a food truck. In
3 fact, on the day of the election, Ms. Thomas never
4 visited the food truck and does not have any firsthand
5 knowledge about how many people or if anyone actually
6 took up the offer to get a hot dog or hamburger. But
7 she does realize that her actions were not consistent
8 with Georgia election law.

9 But this is a case of inexperience and
10 misunderstanding, followed by her full accountability.
11 Since the time of this incident, Ms. Thomas has
12 demonstrated growth and responsibility. She has not
13 engaged in any similar conduct.

14 In fact, she went on to run and be elected to
15 a nonpartisan city council position in November 2025.
16 Her absence -- her physical absence today is not a lack
17 of respect for this process. It is because she is
18 attending a mandatory city council training for her new
19 position.

20 This incident has had a real impact on her,
21 and she has taken it very seriously, learned from it,
22 and adjusted her conduct accordingly. She now has a
23 clear understanding of the boundaries of election law
24 and the importance of compliance.

25 So we would ask that as you consider an

1 appropriate penalty, that you take into consideration
2 all the circumstances of this case, the fact that she
3 has cooperated and been honest throughout this process,
4 lack of any prior experience or guidance, no repeated
5 conduct, and she's demonstrated continued growth in
6 public service. And under those facts, we would
7 respectfully submit that this matter is best addressed
8 through education and ask that you consider a dismissal
9 or issue a letter of instruction. Thank you for your
10 time and consideration.

11 CHAIR FERVIER: Are there any questions for
12 the attorney? Any comments? Member Ghazal?

13 MS. GHAZAL: I -- I would just like to say
14 that we have seen similar cases. When food is
15 distributed freely with no reference whatsoever to
16 voting, that's one issue. When it specifically
17 references voting and you have to show your sticker,
18 regardless of whether or not it's intended to impact
19 the outcome, it is certainly intended to impact
20 people's choices to vote.

21 And in every other case like this I have seen,
22 we've referred this to the Attorney General's Office,
23 who will take all these circumstances into account of
24 innocent mistake, but ignorance of the law is not an
25 excuse.

1 MS. KING: I agree.

2 CHAIR FERVIER: Any further comments from this
3 Board?

4 MS. GRUBBS: I would just like to -- she is an
5 attorney, correct?

6 VICE CHAIR JOHNSTON: No.

7 MS. GRUBBS: She is not an attorney?

8 CHAIR FERVIER: No.

9 MS. GRUBBS: So she's running as a probate
10 judge --

11 MS. KING: You can do that.

12 MS. GRUBBS: Yeah. Yeah, I get it. I get it.

13 MS. KING: I know. I -- I had to look that up
14 because I -- I thought that was a little bizarre too.

15 MS. GRUBBS: Well, I mean, if one is going to
16 run for a probate judge, I think they have a higher
17 degree of accountability, which gives me pause in this
18 case. Because if you're going to be sitting in
19 judgment of legal cases and things of that nature --
20 you know, and there are a lot of probate judges, you
21 know, who, prior to the changes in law, who were also
22 election judges. And so I -- I think that the Attorney
23 General's office is appropriate.

24 CHAIR FERVIER: Any further comments?

25 MS. GHAZAL: One.

1 CHAIR FERVIER: Yes. Member Ghazal.

2 MS. GHAZAL: I would like for this board to
3 also consider issuing a request -- a formal request in
4 writing to the Secretary of State's Office to provide a
5 candidate packet. So and -- and that the counties
6 would -- would distribute and -- and the parties
7 distribute when they qualify candidates with the very
8 simple dos and don't's, like, the activities that are
9 restricted and prohibited as a candidate.

10 So including distribution, including
11 everything that -- that a candidate cannot do, like, go
12 within 150 feet of a polling place. The candidate is
13 considered electioneering if they're not casting a
14 ballot.

15 So a simple one to two page guide for
16 candidates, one is when they qualify so that they don't
17 trip themselves up in this. So I would like to
18 formally request that we issue in writing a request to
19 the Secretary of State's Office to prepare this to
20 distribute to counties and to -- and to give out to
21 counties.

22 CHAIR FERVIER: Is there any disagreement on
23 that?

24 (All respond no.)

25 CHAIR FERVIER: Then, please, Mr. Executive

1 Director, if you'll do that. The Chair will entertain
2 a motion on this case.

3 MS. GHAZAL: I mean, if we refer this to the
4 Attorney General.

5 CHAIR FERVIER: We have a motion to refer --
6 refer to the AG? Is there a second?

7 MS. GRUBBS: Second.

8 CHAIR FERVIER: We have a motion to second
9 from Member Grubbs. Any discussion? Hearing no
10 discussion, all those in favor signify by saying aye.

11 (Ayes were heard.)

12 CHAIR FERVIER: Any opposition? Hearing no
13 opposition, so moved by vote of 4 to 0.

14 At this time, the Chair would entertain a
15 motion for a short lunch break.

16 MS. KING: So moved.

17 CHAIR FERVIER: Is there a second?

18 MS. GRUBBS: Second.

19 CHAIR FERVIER: All those in favor signify by
20 saying aye.

21 (Ayes were heard.)

22 CHAIR FERVIER: All right. We will recess for
23 30 minutes, exactly. 30 minutes exactly, for a short
24 break. Thank you.

25 (A recess was taken.)

1 CHAIR FERVIER: This meeting is back in
2 session. The -- you-all have all heard of speed
3 dating. We're going to -- we're going to try and do
4 speed cases here. No, seriously, we're going to --
5 we'll give everybody the appropriate amount of time,
6 but we do want to --

7 MS. COAN: Microphone is not on.

8 CHAIR FERVIER: It's not? Well, that's on
9 purpose. Hello. Very good. Very good.

10 The next item on the agenda is SEB 2025-047,
11 Cherokee County, voter conduct issue from August of
12 2025.

13 MR. MILLS: The Secretary of State's Office
14 initiated the investigation on August 18, 2025, based
15 on a complaint received from Ms. Anne Dover, director
16 of Cherokee County Elections and Voter Registration.

17 Her complaint states that on August 7th, 2025,
18 the respondent, Mr. Richard Jordan, displayed
19 unacceptable behavior while inside of the Cherokee
20 County elections and voter registration office at
21 the -- located at 193 Lamar Haley Parkway in Canton,
22 Georgia. This occurred during the advanced voting
23 period for the August 26, 2025, special election.

24 CHAIR FERVIER: The respondent in this case is
25 Richard Jordan. Is Mr. Jordan here?

1 Mr. -- if you -- if you -- which one is
2 Mr. Jordan?

3 MR. OLES: May it please the board. I'm -- my
4 name is David Oles. I'm representing Richard Jordan
5 here today before the Board.

6 CHAIR FERVIER: Okay. And if you would
7 briefly explain to us what happened, and then the Board
8 may have some questions. And if the complainants want
9 to make any comments, they're welcome to also so...

10 MR. OLES: I have a preliminary matter to
11 address. I do need to bring to the Board's attention a
12 procedural matter. After looking at this case
13 carefully, I reached the conclusion that the Board
14 never served Mr. Jordan with the notice in this case,
15 the notice required by OCGA 15-13-13, and that as a
16 matter of course, then I would have to ask for this
17 matter to be dismissed for failure of due process.
18 Now, I don't know who's here to respond from the other
19 side.

20 CHAIR FERVIER: You say you never received a
21 letter from this Board telling him to be here?

22 MR. OLES: That's -- that's correct. He never
23 received a notice from the Board stating that there was
24 a case before the Board. And I don't have to
25 familiarize the Board with its own statute, but

1 21-2-33.1, mandates that a notice be given in such
2 cases.

3 And the content of that notice is determined
4 by under the Georgia Administrative Procedures Act,
5 which is in -- specifically, the statute is OCGA
6 50-13-13. And that requires -- and I'll go through
7 this -- it requires a statement of the time, place, and
8 nature of the hearing. It requires a statement of the
9 legal authority and jurisdiction under which the
10 hearing is to be held, a reference to the particular
11 section of the statutes and rules involved, a short and
12 plain statement of the matters asserted.

13 If the agency or other party is unable to
14 state the matters in detail, the notice must be limited
15 to a statement of the issues involved. It also
16 requires a statement as to the right -- as to the right
17 of any party to subpoena witnesses and documentary
18 evidence through the agency.

19 And the statute specifically requires that
20 that notice be given either by regular mail or served
21 by personal service by a sheriff or process server, and
22 that's OCGA 50-13-13, Subsection 1. I bring to the
23 Board's attention that my client, Mr. Richard Jordan,
24 resides at 2080 Old Country Place in Woodstock, Georgia
25 30188.

1 There is no record of any notice being issued
2 to that address. As a matter of fact, I believe that
3 the Board's investigator, used an address of 2080 Old
4 Hickory Place, Woodstock, Georgia 30188. That address
5 does not exist.

6 The notice was legally defective, and it is
7 our obligation to bring this to the attention of the
8 Board, that as a consequence, it is without
9 jurisdiction to proceed on this matter here today.

10 CHAIR FERVIER: Understandable. The Chair
11 will entertain a motion.

12 MS. GHAZAL: I would move to continue this
13 case until we can -- we can set -- perfect the notice.

14 CHAIR FERVIER: We have a motion to continue.
15 Is there a second?

16 MS. GRUBBS: Second.

17 CHAIR FERVIER: We have a motion and a second
18 to continue the case.

19 MR. MILLS: Mr. -- before we do, I'd like to
20 ask administrative assistant Hope Coan, can you give us
21 how -- how they were notified?

22 MS. COAN: Right. They were notified. And
23 actually, I spoke with Mr. Jordan on the phone, and he
24 told me about his address change. And I also emailed
25 him in addition to mailing out a letter. And we spoke,

1 you know, a couple of times on the phone.

2 MS. GHAZAL: So -- so Mr. Jordan has actual
3 notice?

4 MR. OLES: No. It was February the 18th was
5 actually the -- the date that the notice was not
6 delivered, sent to wrong address.

7 MS. COAN: But that was at the last meeting.
8 And that meeting, the Board continued it to March. So
9 I informed him of it being continued to --

10 MR. OLES: Having -- and I -- if I may.

11 MS. COAN: Yes.

12 MR. OLES: I believe that notice was e-mailed.

13 MS. COAN: And it was mailed.

14 MR. OLES: You say it was mailed to the same
15 address that already was there?

16 MS. COAN: No. I made a note of the address
17 that because we spoke on the phone. And I -- when I
18 called him on the phone, the original notice did not
19 get to him because I was going according to what the
20 Secretary of State's office had his address.

21 And when he said he didn't receive it, I said,
22 well, what is your address. And that's whenever I saw
23 there. So I understand you did not get a notice for
24 the February meeting because this was what the
25 Secretary of State's office gave me.

1 So I wrote down his new address and it was
2 mailed out. And then I also followed it up with an
3 email in addition to mailing it out. And he responded
4 to the email.

5 MR. OLES: Did you receive a mailing -- a
6 mailed notice?

7 MR. JORDAN: I received an email.

8 MS. COAN: Okay.

9 MR. JORDAN: I received an email.

10 MR. OLES: No. Careful. Did you receive a
11 notice of this hearing in the United States mail?

12 MR. JORDAN: Not to my knowledge.

13 MR. OLES: Okay.

14 CHAIR FERVIER: Well --

15 MR. OLES: The requirement in the statute is
16 very strict. It does not contain exceptions. It
17 doesn't say if you almost get there, you get there.
18 And with respect to counsel -- to board member's
19 question, this is very specific in the Administrative
20 Procedures Act.

21 It has to be mailed in United States mail or
22 personal service to his proper address for him to be
23 called --

24 CHAIR FERVIER: I understand. We're -- we're
25 going to hear this case at one point or the other. We

1 can either hear it today when everybody's here, or we
2 can hear it at the next meeting. Your choice. So your
3 choice.

4 MR. OLES: Well, I'm going to have to leave
5 that up to the Board. We're prepared either way, but I
6 do have to put this objection on the record so that if
7 an appeal is necessary, that record -- that grounds is
8 preserved.

9 MS. KING: But -- but she did mail it. Now,
10 with him receiving or not receiving and I -- I mean --

11 CHAIR FERVIER: Well, we'll -- we'll send it
12 certified next time and make sure that we have proof
13 of --

14 MS. KING: Okay.

15 CHAIR FERVIER: -- proof of mailing. We'll
16 send it certified or -- or FedEx or whatever we have to
17 do to make sure we have proof of mailing. And this
18 case will be heard -- if the Board wants to continue
19 this case, this case will be heard on the 15th of
20 April. Well, you need 30 days, right?

21 MS. COAN: No.

22 MR. OLES: Well, I'll leave that to the Board
23 to determine.

24 MS. GRUBBS: Mr. Jordan, in your email, you
25 say, "I sure look forward to appearing before the board

1 members and perhaps meeting you personally" when you
2 responded to Hope Coan. So were you prepared to go
3 forward today?

4 MR. JORDAN: Yes.

5 MS. GRUBBS: Okay.

6 CHAIR FERVIER: My concern with going forward
7 today is that -- that they've already set up a case for
8 appeal. Claim -- claiming that they hadn't been
9 notified properly.

10 MS. GRUBBS: Yeah.

11 CHAIR FERVIER: And so I'd rather -- I'd
12 rather do it officially and make sure that we have done
13 everything correctly and therefore --

14 MS. COAN: I mean, so now you -- you want me
15 to send certified mail --

16 CHAIR FERVIER: For this individual, yes.
17 Yes.

18 MR. JORDAN: I did get the email, but not the
19 U.S. mail.

20 CHAIR FERVIER: Do we have a motion -- was
21 there a motion made on this?

22 MS. GRUBBS: Yes.

23 CHAIR FERVIER: There's a motion to continue
24 this case. Was there a second made? Any further
25 discussion? All those in favor of continuing this case

1 signify by saying aye.

2 (Ayes were heard.)

3 CHAIR FERVIER: Any opposition? Hearing no
4 opposition, Chair will move this case to be continued.
5 Thank you.

6 MR. MILLS: Mr. Chairman, if I may, could we
7 get the proper address, just to make sure with our
8 investigator over here? Could you give him the proper
9 address? We -- we have it in the past, I know, and we
10 have sent it, but I want to make certain.

11 VICE CHAIR JOHNSTON: Could you say what --
12 could you tell us what the address is, please?

13 MR. JORDAN: Yeah. It's 2080 Old Country
14 Place, and that's Woodstock, Georgia 30188.

15 MS. COAN: I did.

16 MS. KING: You did. Yeah. Yeah.

17 MS. COAN: I made a note actually on the --

18 CHAIR FERVIER: That's fine. Just -- let's
19 just make sure we have proof of mailing next time.

20 MS. COAN: Okay.

21 CHAIR FERVIER: All right. Perfect. Next
22 item on the agenda is SEB 2024-157, multi-county.

23 Next case, SEB 2024-157, multi-county.
24 Mr. Executive Director.

25 MR. MILLS: Let me find the record. Okay.

1 The Secretary of State's Office initiated this
2 investigation on October 7th, 2024, based off
3 complaints received from Lisa Manning, Habersham
4 County's senior deputy director of Elections and
5 Registration. Axiver Harris, Coweta County's assistant
6 director of Elections and Registration, alleging
7 that -- that Women Speak Out PAC, a pro-life political
8 campaign, sent partially pre-filled absentee ballot
9 applications to registered voters in Habersham and
10 Coweta Counties after the passage of a law that made
11 such activity unlawful. This is a potential violation
12 of OCGA 21-2-30381A1CII, making of application for an
13 absentee ballot.

14 CHAIR FERVIER: The respondent in this case is
15 Jennifer Gross, Treasurer for Women Speak Out PAC. You
16 don't look like Jennifer Gross --

17 MR. KEANE: I am not Jennifer Gross.

18 CHAIR FERVIER: -- but I'm not making a
19 judgment on that.

20 MR. KEANE: I appreciate that. My -- my name
21 is Ben Keane. I'm a partner at Dentons US, LLP, and we
22 represent Women Speak Out PAC, and Ms. Gross, in her
23 official capacity as treasurer of Women Speak Out PAC.
24 Appreciate the time today in front of the -- in front
25 of the board.

1 Many of the -- the salient facts associated
2 with this matter were laid forth in the written
3 statement that Ms. Gross filed on behalf of Women Speak
4 Out PAC with the Board in January of this year.
5 Hopefully, you all have that in your -- your binder and
6 able to review that and have a little bit of
7 background. I did want to spend a little time today
8 just adding a little bit more context and highlight a
9 few key elements to the matter that aren't laid forth
10 in that statement that are relevant to the
11 determinations that the Board makes today and the
12 disposition that it -- it makes today with regard to
13 this matter, and gives you a little bit more context
14 into how this matter fits in with the precedent that
15 you all have in these cases with regard to pre-filled
16 absentee ballots since the -- the new provisions were
17 put into law a few years ago.

18 To the extent that there was erroneous
19 pre-filled -- one second. To the extent there was
20 erroneous pre-filling of absentee ballots applications
21 in this matter, the -- the activity was purely the
22 result of technical oversight and miscommunication
23 between Women Speak Out PAC and their direct mail
24 vendor, which is a company called The Lukens Company,
25 that -- as to who is responsible for doing the final

1 reviews with regard to state compliance on pre-filling
2 and other matters associated with the -- the
3 distribution of the fliers that involved the absentee
4 ballot documents.

5 Both of those entities provide this -- these
6 type of communications across the country. So there's
7 often a communication back and forth between them about
8 how the -- the compliance review and assessment will go
9 from jurisdiction to jurisdiction. In no way was
10 the -- the oversight or the potential pre-filling of
11 absentee ballots here the result of deliberate actions
12 or any way to -- or any act to circumvent the
13 requirements of 212-308 -- 381A1C2, as was referenced
14 earlier. And as soon as the issue was brought to light
15 for the respondent, they immediately started
16 cooperating with the investigator.

17 They immediately put into place an internal
18 review with Lukens to assess whether there was
19 erroneous pre-filling, and to determine whether any
20 remedial actions needed to be taken. As a result of
21 that review, both Lukens and WSO undertook internal
22 actions to adjust any mechanisms that may have led to
23 the erroneous pre-filling, and also to ensure that no
24 pre-filling took place for the remainder of the 2024
25 election cycle or any future cycles.

1 And that was borne out by the fact that other
2 mailers were sent out by Lukens on behalf of Women
3 Speak Out PAC later in that same election cycle that
4 had no pre-filling issues at all. The issue was
5 immediately addressed, and that happened within just
6 weeks of learning of the issue, and that was the next
7 time that the fliers went out. That was around the
8 week of October 21st through the 25th of 2024.

9 So the matter was addressed very quickly.
10 And -- and to eliminate any future problems with this
11 in -- in Georgia or any other locations, both Lukens
12 and Women Speak Out PAC put into place additional
13 protocols to add layers of protection for compliance
14 review to ensure that both sides are taking on that
15 obligation and outside counsel for both sides are doing
16 that as well. And so they -- they took every action
17 they could as quickly as they could to -- to remediate
18 any issue and to make sure that this sort of situation
19 didn't cause confusion for voters or any problems down
20 the road in Georgia or otherwise.

21 So in weighing, you know, the -- the dynamics
22 of this case against, you know, the disposition of this
23 case -- of these types of cases in front of the Board,
24 generally, you all have sorted these cases into three
25 buckets. They've either been dismissed at whole, they

1 received a letter of -- of instruction as a form of
2 education, and there have been two cases that have been
3 issued a letter of reprimand.

4 I'll just quickly cover those two to show why
5 they were much more egregious behavior than what
6 happened here, and why a letter of reprimand wouldn't
7 be appropriate in this setting. If you turn back to
8 last month's meeting, there was a similar case about
9 pre-filled absentees, that case was SEB 2024-151,
10 multi-county. It involved another Federal PAC known as
11 the America PAC that pre-filled names and addresses on
12 absentee ballots.

13 They were reprimanded -- issued a letter of
14 reprimand for that activity, but there's an important
15 distinctions between their behavior and what happened
16 with Women Speak Out PAC. In their case, they did --
17 and 151 America PAC pre-filled names and -- and
18 addresses, but it also didn't include the requisite
19 disclaimers to alert voters that this was not a
20 government document or coming from counties or election
21 officials, which was also noted in the -- in the
22 hearing in the letter of reprimand, which represented a
23 violation of 212381A1C2, A1C3, and then Georgia
24 Election Code 183124-.123. So there are additional
25 violations that were going on there.

1 Also, with regard to that respondent, that was
2 at least the second time that that respondent had
3 received complaints with regard to this issue in
4 Georgia. There's another matter, I believe, is still
5 pending, that's 2024-159 for that respondent. So it
6 was not the kind of situation where it was brought to
7 their attention and immediately resolved like it was
8 for ours.

9 And there's no indication in the -- in the
10 discussion that there's proactive remedial action taken
11 by -- by the respondent. So I think there's a clear
12 distinction between that matter and ours in the current
13 setting. The other setting -- the other case that
14 the -- the Board has taken to a letter of reprimand
15 would be in December 2025, SEB 2024-159. It involved
16 much more egregious behavior by an individual
17 respondent who pre-filled absentee ballots for 40 or
18 more voters, but also actively worked to fill those
19 applications out with the individuals, knocked on doors
20 to do that sort of activity.

21 Also, paired that activity with not including
22 any kind of disclaimers that as were required by the
23 statutory and regulatory provisions that I noted, and
24 also not certifying or verifying that the respondent
25 was capable or -- or fit within the statute as somebody

1 who could do that sort of direct engagement with voters
2 to -- to have the absentee ballots pre-filled and
3 executed. And so I think there's a -- there's a big
4 distinction between those two matters and what's going
5 on with -- with Women Speak Out PAC.

6 As such, I -- I'd ask and -- and request that
7 the Board consider the dismissal of the matter, given
8 that remedial action has been taking and the -- and the
9 point has been -- is moot at this point and issues have
10 been sorted through for the rest of the 2024 election
11 cycle and future election cycles, or to consider a
12 letter of instruction that might be helpful to
13 political organizations or other committees that are
14 working with outside vendors where there's confusion
15 about compliance obligations and needs, perhaps there's
16 some -- some wiggle room there to provide education and
17 that's helpful to all parties in those sorts of
18 settings. But I don't think that anything in -- in
19 this matter arises to the two cases where you all have
20 issued letters of reprimand for inadvertent
21 pre-absentee -- absentee applications.

22 CHAIR FERVIER: So as stated, there is a
23 potential violation here of the 21-2-381A1C2. Any
24 questions from the Board? Member Ghazal?

25 MS. GHAZAL: There is no -- there's a --

1 there's a comment in -- in the -- the record that there
2 was a second round of mailing to the voters. Do I
3 understand that correctly?

4 MR. KEANE: Correct. There is -- this is a
5 federal independent expenditure only committee that
6 sends express advocacy communications. So that -- that
7 was sent in the week of October 21st through 25th of --
8 of that same election cycle in 2024. And there's --
9 that was after the issue had been brought to our
10 attention and after the remedial action has been put in
11 place to make sure that there was none of that
12 circulated pre-filling materials going out.

13 MS. GHAZAL: Right. Do you have any evidence
14 of whether or not they actually -- they took the -- the
15 most recent absentee records to crosscheck to make sure
16 that they were not sending an -- an application to a
17 voter who had already submitted an application for an
18 absentee ballot, whether -- whether absentee by mail or
19 had actually voted in person?

20 MR. KEANE: I can't speak to that issue now.
21 I'm happy to, you know, request more information, if
22 it's, you know, something you need to make a
23 determination, I'm happy to request that from the
24 committee to go forward. Generally, that is the
25 protocol across all jurisdictions, but I don't want to

1 speak out of turn to say that in this instance, it --
2 it absolutely occurred if I -- I don't have that, you
3 know, that statement to -- to back up.

4 MS. GHAZAL: Sure. I understand that -- that
5 that's very -- obviously best practices.

6 MR. KEANE: Yeah.

7 MS. GHAZAL: In the case of Georgia, it's a
8 statutory requirement.

9 MR. KEANE: Right.

10 CHAIR FERVIER: Any other questions from the
11 Board? The Chair will entertain a motion.

12 VICE CHAIR JOHNSTON: Mr. Chair, I'm moving to
13 issue a letter of instruction for this case
14 regarding -- I think there's sufficient evidence for
15 violation of 212381A1C2.

16 CHAIR FERVIER: We have a motion to issue a
17 letter of instruction on -- letter of instruction on
18 SEB 2024-157. Is there a second?

19 MS. KING: Second.

20 CHAIR FERVIER: We have a motion and a second.
21 Any further discussion? Hearing no further discussion,
22 all those in favor of issuing a letter of instruction
23 signify by saying aye.

24 (Ayes were heard.)

25 CHAIR FERVIER: Any opposition? Hearing no

1 opposition, so moved. A letter of instruction will be
2 issued.

3 MR. KEANE: Thank you.

4 CHAIR FERVIER: Next item on the agenda is SEB
5 2024-171, multi-county non-citizen voting.

6 MS. KING: This is what -- specifically
7 Ms. Gamble, right?

8 MS. GRUBBS: Ms. Gamble?

9 CHAIR FERVIER: Yes.

10 MS. KING: Everyone else was already --

11 CHAIR FERVIER: This is referring to
12 Ms. Gamble, yes.

13 MR. MILLS: Okay. Do you want me to read
14 this?

15 CHAIR FERVIER: Let's just read it for the
16 benefit of the audience real quick.

17 MR. MILLS: The Secretary of State's Office
18 Investigation Division initiated this investigation
19 following an audit conducted by the SOS Election
20 Division in which they cross referenced court juror
21 questionnaires where jurors claim to be non-citizens
22 with Georgia voter registration system to identify
23 potential non-citizens who may have registered to vote
24 in Georgia, potential violation of OCGA 21-2-561. Some
25 of these individuals were also identified as

1 potentially having voted in one or more of the
2 elections during the time they failed to possess the
3 qualifications to do so.

4 CHAIR FERVIER: And the respondent is Samantha
5 McLean Gamble.

6 MS. OSBORNE: Yes, Your Honor. I'm Deborah
7 Osborne. I'm the attorney for Ms. -- she's now
8 Samantha Turner. She has married since.

9 CHAIR FERVIER: Her name is?

10 MS. OSBORNE: Samantha Turner.

11 CHAIR FERVIER: Samantha Turner?

12 MS. OSBORNE: Yes. Formerly Ms. McLean
13 Gamble.

14 CHAIR FERVIER: Ms. McLean Gamble.

15 MS. OSBORNE: Your Honor, we filed a -- sorry.
16 Chairman. Old habits die hard.

17 But we filed a request to dismiss this, which
18 I have copies if you need it, but we -- I believe we
19 sent it last week. If -- if the Board doesn't have it,
20 I can --

21 CHAIR FERVIER: We have it.

22 MS. OSBORNE: -- just give you copies. Okay.
23 The -- the part of that investigation that specifically
24 named my client specifically said there was no statute
25 or rule that they could identify. And so we would move

1 to dismiss, first of all, for lack of jurisdiction
2 because there's no statute or rule that has been
3 identified, just sort of a vague idea that she did
4 something she shouldn't have.

5 That thing that she did that -- that she
6 shouldn't have was registered to vote when she signed
7 up with Division of Driver Services in 2017. We got
8 records from the DDS and provided them to you in our
9 packet showing that we were able to get only records
10 for four years, 2016, 2017, 2019, and 2020. In 2016,
11 2019, and 2020, she opted out of the voter
12 registration. And --

13 CHAIR FERVIER: So this -- this is a 2017 --

14 MS. OSBORNE: 2017.

15 CHAIR FERVIER: -- it's a DDS case. I don't
16 mean to cut you off. It's just it's a 2017 case.
17 Ms. Turner has never voted. You're -- are you still a
18 non-citizen, Ms. Turner?

19 MS. TURNER: I am still a non-citizen.

20 CHAIR FERVIER: Okay.

21 MS. TURNER: And I did remove myself from the
22 voter roll when I was made aware that I was on it.

23 CHAIR FERVIER: Okay. And you've never voted
24 and so --

25 MS. TURNER: I've never voted.

1 CHAIR FERVIER: Are there any questions from
2 the Board on this?

3 MS. KING: I mean, do you have the printout
4 or -- of the opting out?

5 MS. OSBORNE: I -- I can e-mail that. Yes, I
6 do have -- oh, she has it.

7 MS. KING: Do you have it? I just want to
8 glance at it.

9 MS. TURNER: These are all four years.

10 MS. OSBORNE: She opted out after the
11 investigator made her aware that she had made the
12 mistake in 2017. She opted out in January of 2025.

13 CHAIR FERVIER: These DDS cases really
14 frustrate me because people all have to opt in instead
15 of opt out. It just creates too many problems,
16 especially for convicted felons -- especially for
17 convicted felons and -- and people like that or people
18 that have reading limitations and things like that
19 so...

20 VICE CHAIR JOHNSTON: Ms. Turner --

21 MS. OSBORNE: And I -- oh, I'm sorry.

22 VICE CHAIR JOHNSTON: -- do you read -- do you
23 speak English and read English?

24 MS. TURNER: Yes, I speak English and I read
25 English.

1 VICE CHAIR JOHNSTON: Did -- did you sign
2 the -- the DDS form that --

3 MS. TURNER: It was completed, I believe, to
4 the best of my memory, from 2017, at a kiosk when I
5 showed up to get a new driver's license, and I -- I did
6 not intend to select to register to vote. And when I
7 went to the DDS to get these forms as records of what I
8 had said or not said, the woman who provided them to me
9 said it's not infrequent for a DDS employee to help you
10 on the kiosk to get your ticket before you go see
11 someone.

12 So I -- I can't say for certain what happened
13 in 2017, but I didn't intend to register to vote. I
14 can't imagine why I would have selected that. And I
15 think there's evidence from before that instance and
16 after that instance where I did the right thing and
17 clicked the right buttons. And I -- I certainly wasn't
18 at DDS intending to register to vote.

19 VICE CHAIR JOHNSTON: There's a -- there's a
20 question with -- with DDS, one of the first questions
21 is, are you a citizen?

22 MS. TURNER: On the form in 2017, what I can
23 see from what I filled out, I said, no, I am not a
24 citizen. On the form in 2016, I had to provide
25 documents for how I was legally in the country. And so

1 it does show in some places, which Ms. King is
2 reviewing, where the forms were summarized by DDS, and
3 it says, yes, we're citizen, but then it -- it affirms
4 that I -- it summarizes that I affirmed that I was not
5 a citizen.

6 MS. OSBORNE: That application, the printout
7 that we received is in the packet.

8 VICE CHAIR JOHNSTON: Ms. Turner, did you
9 receive a precinct card from Fulton County?

10 MS. TURNER: No. I did not. And when I went
11 to cancel my voter registration, when I was made aware,
12 the address on file was not an address that I ever
13 lived at. I moved out of country in 20 -- in February
14 of 2018, and I put a forwarding address in the United
15 States Postal Service, which was the address that I
16 believe that card got sent -- or at least that was on
17 my record at the -- at the -- when I went online to
18 de-register myself to vote.

19 And so I can only imagine that became on the
20 record because it was my United States Postal Service
21 forwarding address when I lived out of country. It was
22 my friend's house.

23 MS. OSBORNE: The best we can reconstruct it,
24 Dr. Johnston, she never received anything at the
25 address she was living at in 2017. Fulton County,

1 there are no -- I have not been able to find any
2 elections in 2017 that she would have been eligible to
3 vote in. There was no need for them to send her a
4 precinct card until the fall or later in 2017.

5 The best we can reconstruct it, they sent it
6 to the address and it hit the post office, which had a
7 forwarding address, came back to the -- and this is
8 speculation because I -- we -- Fulton County records
9 don't have any of this -- but the only place they could
10 have gotten that forwarding address would be from the
11 Postal Service bouncing it back and saying, she no
12 longer lives here, here's the forwarding address. And
13 that she never received -- if it was sent -- whatever
14 was sent to the forwarding address, she never received.

15 VICE CHAIR JOHNSTON: Ms. Turner, what's --
16 what's the address on your driver's license?

17 MS. TURNER: Currently, or at the time?

18 VICE CHAIR JOHNSTON: At the time.

19 MS. TURNER: It was an address that I lived
20 at. It was 205 10th Street Northeast, Atlanta,
21 Georgia, Fulton County.

22 MS. KING: Was it the same as the one in 2016?

23 MS. TURNER: 2016. Let me check. No, this is
24 after I came back. This is not 2016, that was 2019,
25 2020. I think the 2016 left.

1 MS. KING: I had -- I had '17, '19, and '20.

2 MS. TURNER: You had three?

3 MS. KING: I had 2017, '19, '20.

4 MS. OSBORNE: Here, I think I have it.

5 MS. TURNER: This address -- yeah. So 250
6 10th Street Northeast. Yeah. That was where I -- I
7 lived when I moved into the State of Georgia, got my
8 initial license, and that is where I lived until
9 February of 2018, when I moved out of the country.

10 CHAIR FERVIER: Any further questions from the
11 Board? Chair will entertain a motion.

12 MS. KING: Considering that this is a motor
13 vehicle issue, another DDS issue, I make a motion that
14 we dismiss.

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

17 MS. GHAZAL: Second.

18 CHAIR FERVIER: We have a motion and a second
19 to dismiss. Any further discussion? Hearing no
20 further discussion, all those in favor of dismissing
21 SEB 2024-171 signify by saying aye.

22 (Ayes were heard.)

23 CHAIR FERVIER: Member Grubbs?

24 MS. GRUBBS: Aye.

25 CHAIR FERVIER: Any opposition? Hearing no

1 opposition, so move. This case is dismissed.

2 MS. OSBORNE: Thank you very much.

3 CHAIR FERVIER: Thank you. Well, it's time
4 for Fulton County. Fulton County case is the next item
5 on the agenda is SEB 2025-037, Fulton County double
6 voter in Georgia and Florida in 2024.

7 MR. MILLS: The -- the Georgia Secretary of
8 State's Office initiated this investigation based on
9 correspondence received on July 15th, 2025, from
10 Mr. Jason Frazier, complainant. Mr. Frazier reported
11 that he believed the respondent, Mr. Steven G.
12 Williamson, double voted during the November 24th
13 general election.

14 Mr. Frazier advised that Mr. Williamson voted
15 in both Georgia and Florida.

16 CHAIR FERVIER: The respondent's case is
17 Steven Williamson. Is Mr. Williamson here?

18 MR. WILLIAMSON: Yes.

19 CHAIR FERVIER: Mr. Williamson, would you come
20 down, please? This is not a very friendly environment
21 for you.

22 I don't know if maybe we could let him speak
23 up top. I didn't see that -- yeah. I'm sorry about
24 that. And if you go back up top. Can you identify
25 yourself to the court reporter, please.

1 MR. WILLIAMSON: Steven Williamson.

2 CHAIR FERVIER: Okay. Do you have comments
3 you'd like to make on this?

4 MR. WILLIAMSON: Yeah. Yeah. I have a couple
5 of comments. First of all, I want to say, I'm doing my
6 civic duty. Everybody should do this more often.
7 Just -- just to show up. This is your civic duty,
8 seeing how this has worked out. Thank you.

9 So it's -- it is -- it's good. Okay. My
10 comments are, I've lived in New York, Virginia,
11 Florida, and Georgia. This is the only state where you
12 can go in without a voter ID and vote. Never heard of
13 that before. This is the only state where it is, and
14 that's what happened here with me, okay.

15 So these are all my various licenses, New
16 York, Florida -- no, that's Georgia -- that's Florida,
17 and this is my last Georgia driver's license, and I
18 live in Sandy Springs. I got this -- after I moved to
19 Florida, I got this, and they cut -- cut this up here,
20 my Florida license.

21 So this license is not any good at all. I
22 moved back to Florida in 2024, with this Florida
23 license, and I did not get another Georgia license
24 until last year. So this is the last Florida license I
25 had before I moved back up here. So who's going to

1 walk into a voting office with this and try to vote.

2 You, you, you? I don't think so. Nobody's
3 going to walk in with a clipped voter ID and try to
4 vote. That's the only way I could vote. So how am I
5 able to live in Kennesaw, drive over to Sandy Springs
6 and vote on Roswell Road with -- with this ID? The
7 whole -- the whole thing just doesn't add up.

8 MS. KING: Are you saying you did not vote in
9 Georgia?

10 MR. WILLIAMSON: I did not vote in Georgia.
11 The last time I voted was the 2020 election. That was
12 the last time I voted. I did not vote in the 2024
13 election because I had this Florida license, and I did
14 not get this new Georgia license until 2025.

15 So this is the last thing I had as far as
16 voting here in Georgia. So how am I going to walk in
17 somewhere and vote on the precinct this year?

18 MS. KING: Were -- were you living in Georgia
19 in 2024?

20 MR. WILLIAMSON: I moved to Kennesaw in
21 October of 2024. But before I moved, I -- I mailed my
22 absentee ballot in -- in Collier County, Naples. I
23 voted down there, put the stamp on, and sent it off,
24 and a couple of weeks later, I moved up here.

25 So I was trying to get things -- private

1 things were in state of flux. I wanted to handle my
2 business in Florida. So I had no idea about this.

3 Mr. Lance Patterson, I believe, called me.
4 I'm like, I don't even know what you're talking about.

5 MS. KING: So -- so you lived in Florida, you
6 sent an absentee ballot in Florida --

7 MR. WILLIAMSON: Yes.

8 MS. KING: -- then you moved to Georgia?

9 MR. WILLIAMSON: Yes.

10 MS. KING: And you didn't do anything with the
11 elections in Georgia?

12 MR. WILLIAMSON: No. No. I was not
13 registered. I thought everywhere I go, when you turn
14 your driver's license in that you vote -- drop off the
15 voter's roll wherever you lived at. So no, I didn't
16 vote. I -- I registered last year for Cobb County.

17 I was not registered down here until that
18 time. And now I'm getting all these -- these notices
19 and people asking me where -- where did you vote at and
20 what did you -- no, I didn't. Somebody obviously took
21 liberty in my -- of my account and voted, okay.

22 I -- I don't engage in nefarious activity like
23 that. I'm -- I'm somewhat -- pardon my phrases or
24 whatever -- I'm somewhat offended, pissed off, mad that
25 I'm being accused of -- of being double voting, okay.

1 My family, myself, and I, we worked too hard to achieve
2 these votes to screw it up by doing double voting.

3 I've been voting since 1980. I voted for
4 Jimmy Carter in 1980. It was my first election, and
5 I've been voting ever since.

6 And I don't -- you know, I don't know -- I
7 don't know what to say. I didn't cheat anybody. And
8 what -- what gain would I have by double voting? It's
9 like, will you do this and I'll get mileage points or
10 something or points on my credit card if you keep
11 voting, no. It just doesn't add up.

12 MS. GHAZAL: Mr. Chairman, do we have access
13 to any of the underlying documentation that the
14 investigators found to -- for this case? If not, I
15 would -- I would move to continue because I'd like to
16 see some of the -- the actual documentation.

17 CHAIR FERVIER: Yeah. I -- I find this a
18 little confusing myself because it talks about him
19 voting in 2024, but his renewal documentation was dated
20 in September 2025.

21 MS. GHAZAL: Sir, I would, at this moment,
22 move to continue the case because I would like to see
23 the exhibits that -- that the investigators found.

24 MS. KING: Same.

25 MS. GRUBBS: Second.

1 CHAIR FERVIER: So Mr. Williamson, we -- this
2 Board needs to have access to the actual documentation
3 that the investigators used, which we don't have in our
4 file here. And that's the reason we have a motion to
5 continue this case so the Board will have time to look
6 at that documentation.

7 MR. WILLIAMSON: What type of documentation?
8 Do you have my signature or --

9 CHAIR FERVIER: No, it's -- no, it's the
10 documentation that the investigators use.

11 VICE CHAIR JOHNSTON: If the Secretary of
12 State investigators --

13 CHAIR FERVIER: Yeah.

14 VICE CHAIR JOHNSTON: -- were here, we would
15 have that documentation, but they are not here. They
16 have decided not to attend our meetings.

17 CHAIR FERVIER: So we -- so the Board has --
18 there's a motion made to continue this case, and a
19 second has been made to continue the case. So the
20 Board can review that. We want to make sure we get
21 this right.

22 MR. WILLIAMSON: Yeah. Well --

23 CHAIR FERVIER: For your sake, obviously.

24 MR. WILLIAMSON: -- Fulton County dropped the
25 ball is the bottom line here. I didn't know -- I don't

1 know nothing about what happened in Fulton County
2 except they contacted me, the Secretary of State about
3 all of this voting.

4 Fortunately, I kept all these old driver's
5 licenses. I just thought they were for nostalgia
6 purposes, but yeah, they -- they actually came in
7 handy, especially this is the one -- this is my get out
8 of jail card, so to speak. They clipped invalidated
9 driver's license.

10 CHAIR FERVIER: I still have mine from 16, so
11 I can prove I had hair.

12 MR. WILLIAMSON: Yeah. Yeah. Yeah. So they
13 clipped this -- when I got my Florida license in
14 Naples, they clipped this, gave it back to me, and
15 that -- I thought that was a done deal.

16 CHAIR FERVIER: Okay. Well, let's -- let's do
17 what we need to do. We have a motion and a second to
18 continue this case. Any further discussion? All those
19 in favor of continuing this case signify by saying aye.

20 (Ayes were heard.)

21 CHAIR FERVIER: Any opposition? Hearing no
22 opposition, so moved. They'll be continued.

23 MS. KING: You can always join virtually.

24 CHAIR FERVIER: Yeah.

25 MS. KING: So -- so you don't have to come

1 drive back down here, you know.

2 MS. GRUBBS: Or wherever we'll be.

3 CHAIR FERVIER: I'm -- I'm very happy you
4 showed up because it makes a difference. But you can
5 always call in and join via Zoom, and we'll -- do you
6 know how to do that?

7 MR. WILLIAMSON: Yes, sir.

8 CHAIR FERVIER: Okay. So we'll -- we'll reach
9 out to you and make sure that you know how to do that.

10 MR. WILLIAMSON: Okay.

11 CHAIR FERVIER: Next time.

12 VICE CHAIR JOHNSTON: There's -- there's a
13 lift over here, sir.

14 MR. WILLIAMSON: I'm sorry.

15 VICE CHAIR JOHNSTON: So you don't have to
16 walk up the stairs.

17 CHAIR FERVIER: Does anybody know how to work
18 that thing?

19 MR. WILLIAMSON: I used to see you on -- I
20 used to see you on the Georgia game on TV, way back
21 when. Yeah.

22 MS. KING: That was me.

23 MR. WILLIAMSON: Thank you.

24 MS. KING: Thank you.

25 CHAIR FERVIER: Thank you. Yeah. A competent

1 chairman would have noticed that there's a mic up on
2 top so...

3 (An off-the-record discussion was had.)

4 CHAIR FERVIER: This next case is SEB
5 2022-068. And it's where the Fulton County has added
6 about some documents, and we wanted the Secretary of
7 State here to be -- to answer questions about it, and
8 they said that they would be at the next meeting to be
9 able to do that. So the Chair will entertain a motion
10 to continue this case to the next meeting.

11 MS. KING: So moved.

12 CHAIR FERVIER: We have a motion. Is there a
13 second?

14 MS. GHAZAL: Second.

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

18 (Ayes were heard.)

19 CHAIR FERVIER: Any opposition? Hearing, no
20 opposition, so moved. 2022-068 shall be continued to
21 the April meeting.

22 VICE CHAIR JOHNSTON: You know, you've seen
23 the movie, The NeverEnding Story.

24 CHAIR FERVIER: Yeah. The next case in the
25 agenda is SEB 2024-180, Fulton County High Museum of

1 Arts violations.

2 MR. MILLS: The Secretary of State's Office
3 initiated this investigation based on two complaints
4 received from Ms. Jacqueline Raymond and Ms. Julie
5 Allen. Ms. Raymond and Ms. Allen allege that on
6 October 19th, 2024, they went to the High Museum of Art
7 to cast their ballot during the early voting period.

8 Their complaints allege that while there, an
9 unknown organization was, number one, campaigning
10 within 150 feet of the polling location, potential
11 violation of the code of Georgia 21-2-2-414,
12 restrictions on campaign activities and providing food
13 and beverages to persons in the area and the polling
14 location. Potential violation of 21-2-570.

15 CHAIR FERVIER: There's no respondent listed
16 in the complaint, but we -- we had identified --

17 MS. KING: Daybreaker.

18 CHAIR FERVIER: -- the Daybreaker group.
19 Right. Is anybody here from the Daybreaker group?

20 MR. SPARKS: Yes, Mr. Chair.

21 CHAIR FERVIER: You are a Daybreaker. Come --
22 come down, please.

23 MR. SPARKS: I don't want to step a lot in
24 front of Fulton.

25 CHAIR FERVIER: Does Fulton County have any

1 comments they want to make on this?

2 MS. GHAZAL: Yeah. Just briefly. Our
3 understanding, and I believe at the time the poll
4 manager measured it, they the group was outside the 150
5 foot limit, which I believe is what the investigator
6 before also found, that they were outside that limit.

7 CHAIR FERVIER: Okay.

8 MR. SPARKS: Good afternoon, Board. Good to
9 be with you. Again, Adam Sparks, with Krevolin Horst.
10 I'm here on behalf of Daybreaker, which is the operator
11 of the event in question.

12 This is a bit of a curious case for me. I did
13 not submit any statements or materials ahead of time,
14 as I wrote Ms. Cone on the 9th when I was able to reach
15 out about this. I -- I asked for the video that was
16 shown from the Board in the Fulton County at the
17 January meeting, I -- I didn't receive it. I asked for
18 an update of the summary of the investigation or the
19 allegations that were of concern from Daybreaker's
20 point of view, I didn't receive any of those, and I
21 didn't get any additional communications.

22 So I'm -- I'm flying blind a little bit here.
23 I am happy to tell you what I've learned about the
24 event. I agree with the investigator's initial
25 conclusion that this case should be dismissed because

1 there was no violation. But I have some photos from
2 the event, if that would be helpful.

3 And I can tell you what I know about it and
4 try to address whatever specific questions you may
5 have.

6 CHAIR FERVIER: Please briefly tell us what
7 you know about it.

8 MR. SPARKS: Yeah, absolutely. So
9 Daybreaker -- and I'm going to go ahead and open my
10 computer here. If you give me one second.

11 Yeah. So in the last few days, I've talked a
12 little bit with the team lead who started this event.
13 It's part of a campaign called Party to the Polls. It
14 was held in 2024.

15 Daybreaker itself is not a political
16 organization. It's a global social wellness and dance
17 movement. It's a woman owned company.

18 It's based in Brooklyn. No outside investors.
19 It's a family company, and its motto is, Community
20 First.

21 The idea is that it celebrates values of
22 wellness, camaraderie, self-expression by holding
23 alcohol free and substance free dance parties, most
24 often at sunrise. It started about 13 years ago. The
25 first parties were all at Daybreak, hence the name.

1 So yeah. From the description of the event,
2 "This is the real party, one that values unity,
3 community, and joy. This isn't just a tour, it's a
4 revolution of movement or a relay of rhythm." There's
5 additional poetry that follows.

6 I'll skip ahead. "Why are we fighting each
7 other when we all want the same beautiful life?
8 Whether Democrat or Republican, liberal or
9 conservative, or somewhere in between, we all desire a
10 world filled of peace, prosperity, opportunity,
11 planetary well-being, and above all, joy.

12 We're bringing the collective joy back to
13 collective action so dress in purple and let's Party to
14 the Polls." So the event that was happening was on
15 Sifly Piazza, outside of the High Museum of Art, in
16 between the Hive and the -- and the Alliance Theater.
17 And of course, there is an advanced voting location in
18 the Anne Cox Chambers wing of the museum.

19 The assertion by the complainant, as I
20 understand it, was that there was a table set up where
21 food and drink was being offered to people, A, within
22 150 feet of the building where voting was happening,
23 and B, as an encouragement or an inducement to -- for
24 people to vote or to try and vote or what have you.
25 Neither was the case.

1 The table -- does this link work to put the
2 photo up on the screen, Ms. Ghazal?

3 CHAIR FERVIER: You can just tell us.

4 MR. WILLIAMSON: I can just -- okay. That's
5 fine. So I -- I went through a number of photos from
6 the event. They're obviously very proud of what they
7 do.

8 They hold parties all over the country.
9 The -- the operator works out of Brooklyn, I've spoken
10 with him several times.

11 There are photos from the event showing the
12 table where there were a number of nonalcoholic
13 beverages, something called mushroom coffee, which I'm
14 not familiar with. But so I can presume I'll take your
15 word that it's substance free.

16 And -- and some other -- excuse me -- snacks
17 and things, at a table on the sidewalk right next to
18 the Lichtenstein House. It's that red and yellow house
19 that looks like it's in the same position no matter
20 where you view it from, what angle.

21 That sidewalk is over 200 feet from the
22 entrance to the Anne Cox Chambers wing and from the
23 building itself. I believe the complainant said it was
24 less than 100 feet. That's -- that's simply
25 inaccurate. It's not.

1 150 feet, for reference, is about half of a
2 football field. I grew up near Athens, I know what a
3 football field looks like. I know what 150 feet looks
4 like. This was well over 200 feet.

5 And the company actually took the care to
6 measure it to make sure that they were not even close
7 to the bubble where it's within -- to give away those
8 food and drinks. The photos show that people of all
9 ages, of all backgrounds, and all voter statuses, some
10 of which were ineligible, some of which had a sticker.
11 [inaudible 04:06:58], afterward, came by and enjoyed
12 the libations.

13 The event included a group yoga session.
14 There was a band that played. There were dancers with
15 flags.

16 And afterwards, everyone, should they wish to
17 and have the opportunity to and be qualified and
18 eligible to, did go and vote at the polls. I
19 understand the operator of the event actually sent
20 somebody to let the Fulton officers know ahead of time,
21 hey, we're going to have a whole bunch of people coming
22 in at the end of this event because that's the whole
23 point is joy, to have the opportunity to vote early if
24 you so choose, and you have the -- the chance to do so.

25 So we don't have any food or beverage given

1 away for voting activity. We don't have that activity
2 happening within 150 feet of the building. I think
3 there was an allegation made about voter intimidation.

4 I have a hard time deeming that allegation
5 credible as a matter of law. And the reason is the
6 standard for voter intimidation, whether it's under
7 federal or Georgia law, is an objective standard. It
8 is from the point of view of a reasonable person.

9 And there are examples of voter intimidation
10 in the case law -- and that's the wrong paper. Bear
11 with me one second -- examples include messages that a
12 reasonable recipient, familiar with the context of the
13 communication, would view as a threat of injury to
14 deter individuals from exercising the right to vote.
15 Other examples include, "Threats that police will use
16 voter information to find and enforce old warrants, a
17 pattern of baseless arrest at a voter registration
18 event, and threats of deportation against lawful
19 citizens who are immigrants and their family members."

20 Those are examples of voter intimidation.
21 This was a party where people were doing yoga and
22 waving flags and celebrating joy and being together.
23 So I don't think there's any cognizable evidence of
24 voter intimidation. To the extent there had been, I
25 don't think a reasonable person with knowledge of the

1 circumstances could have perceived as such.

2 And further, the photos also show that there
3 were stanchions set up to cabin the event itself inside
4 the Piazza to make sure that signs that said vote here,
5 much like the signs of the event that said, vote early
6 or go vote. Vote here, there was a sidewalk along the
7 alliance side of the Piazza, cordoned off by stanchions
8 and those little cordons -- that's the word -- cordons
9 to allow people to access ingress and egress to the
10 voting location.

11 And I went and walked there yesterday myself
12 just to make sure and everything lined up the way that
13 the photos showed that they did. So in sum, I'm happy
14 to try to address specific questions, but I don't -- I
15 think the SOS investigator was correct back in March of
16 2025, to say this case should be dismissed because the
17 allegations simply weren't substantiated either at the
18 time or during his investigation closer to the event.

19 CHAIR FERVIER: Any questions from the Board?

20 VICE CHAIR JOHNSTON: Yes. Mr. Sparks?

21 MR. SPARKS: Yes, ma'am.

22 VICE CHAIR JOHNSTON: The High Museum of Art
23 representative initially said it was a social event,
24 and then they changed their stance after some research
25 and said it was a political event. Do you have a

1 response for that?

2 MR. SPARKS: Well, I haven't talked to the
3 High Museum representatives. They're not my clients,
4 so I can't speak to what they would have said.

5 I can say, unequivocally, it was not a
6 campaign event. There was no campaign material. There
7 was no urging to do anything other than yoga, dance,
8 enjoy each other, and if you so desire, go vote when
9 we're done. So I -- I would quibble -- can you quibble
10 strongly? Probably not.

11 I would -- I would disagree with the assertion
12 that this was a "political event," except in the -- I
13 suppose, the common meaning that's just like the State
14 of Georgia and all 159 counties, let their citizens
15 know, if you're eligible to vote, here's where you can
16 do it and when. I guess that's a political act, but it
17 would be only in that limited, very broad-based value
18 sense. So no, I -- I would disagree.

19 CHAIR FERVIER: I -- I thought there were two
20 different officials. One said it was political, one
21 said it wasn't? But I'm just -- no finding.

22 VICE CHAIR JOHNSTON: As I read it, the
23 initial response was that it was a social and then that
24 other individual or -- or that same individual
25 responded differently and that it was political. So

1 Day -- Daybreaker -- is it Daybreaker? You said --

2 MR. SPARKS: Daybreaker, yeah.

3 VICE CHAIR JOHNSTON: Daybreaker. So they
4 were not representing a candidate, or a campaign, or a
5 party?

6 MR. SPARKS: None of the above. Absolutely
7 not.

8 VICE CHAIR JOHNSTON: Okay. Were they -- were
9 they campaigning for people to vote?

10 MR. SPARKS: I wouldn't call it campaigning.
11 I would say that they were, yes, you should go vote if
12 you can, in the sense of this is a -- well, the point
13 of the Party to the Polls tour is to encourage people
14 exercising their constitutional right to vote for those
15 who, of course, have them and are qualified and
16 eligible to do so. So in that event, yes.

17 As the term is used in the statute, no. This
18 was not a campaign. It had nothing to do with the
19 campaign committee, nothing to do with an IE committee
20 or any other political organization of any kind.

21 VICE CHAIR JOHNSTON: Were they trying to
22 influence people to vote they were in the area?

23 MR. SPARKS: Certainly not with the food and
24 drink. That was available to any passers by who came
25 by. Saw photos of several kids there. Obviously,

1 they're not eligible to vote for one.

2 I think that's a really attenuated connection,
3 if so, because the event was open to everybody
4 regardless of your voter status, and whether you
5 intended to vote, already had voted, and so forth.

6 VICE CHAIR JOHNSTON: Okay. Mr. Sparks, on
7 February 18th, the investigator and the second
8 complainant visited the High Museum and measured the
9 distance that the complainant said the stage was
10 placed, and it measured 42 feet from the entrance to
11 the polling location.

12 MR. SPARKS: Well, that would contradict, A,
13 maps that I've seen that were contemporaneous. It
14 would contradict the initial investigation. It would
15 contradict the limited correspondence I've seen
16 regarding the Fulton County poll officers who were
17 there at the time, who heard the complainant, make the
18 complaints, tested it, measured where these things
19 happened, and found that there was no unlawful
20 activity.

21 VICE CHAIR JOHNSTON: Did you visit the
22 location with the respondent and -- and measure the
23 distance?

24 MR. SPARKS: The respondent works and lives in
25 Brooklyn, New York. So no, I didn't go with the

1 respondent themselves. I did, again, review several
2 photos that were taken on the date of the event in
3 question.

4 I reviewed the planning, the instructions that
5 were reported to have been given to everybody who
6 worked for the event, and I walked the site myself
7 yesterday.

8 VICE CHAIR JOHNSTON: I -- I go to the High
9 Museum of Art every couple of weeks.

10 MR. SPARKS: Sure. Yeah.

11 VICE CHAIR JOHNSTON: And I know that area
12 fairly well. And the video I saw appeared as if the --
13 the event was right outside of the polling place?

14 MR. SPARKS: Well, I looked at the map.
15 Certainly, nothing was within 40 feet. I can say that
16 unequivocally. Again, going back to sports, pitcher's
17 mound is 60 feet away from the plate, I know that
18 distance, that was not plausible.

19 It is possible that part of the stage was
20 within 150 feet. The reason might have been because
21 the primary power circuits that provided power for the
22 event, speakers and what have you, are located right
23 next to the gift shop on the High Museum. And you'll
24 know what I'm talking about from having been there.
25 It's right where that red awning is on the northbound

1 side. That is within 150 feet.

2 So it's possible the stage was a little bit
3 closer. I can tell you two things. One, still not
4 campaign material, still not a table or booth, still
5 not contrary to the statute, 414.

6 And second, there was this allegation made
7 that people were using food and drink as both an
8 inducement and that it was within the 150-foot bubble.
9 I've seen plenty of evidence that says that's not the
10 case, and no evidence aside from the complainant's bare
11 say so which was examined and rebutted the day of the
12 event, that that actually happened.

13 So to the extent this board would like to
14 clarify that the 150-foot bubble means that no imprint
15 of any private nonpolitical event should be with
16 150-feet of a voting location, I think a letter of
17 instruction on that specific charge and statute that
18 was then sent to all 159 counties and to the Secretary
19 of State's Office, for clarity and consistency, that I
20 can see my way to. Because I can't sit here and tell
21 you today that the entire event, everyone there doing
22 yoga, and dancing, what have you, stayed 150 feet away.
23 I -- I concede I can't tell you that.

24 VICE CHAIR JOHNSTON: Was this an event of
25 Party to the Polls?

1 MR. SPARKS: It's called Party to the Polls.
2 I believe that's correct.

3 VICE CHAIR JOHNSTON: That sounds like a
4 voting event.

5 MR. SPARKS: Sounds like a party event to me
6 that does celebrate the civic value of voting. That is
7 correct. And there's nothing wrong with exercising
8 your core political speech to encourage others to vote
9 and to do so.

10 MS. GRUBBS: Mr. Sparks, I have a --

11 MR. SPARKS: Yes, ma'am.

12 MS. GRUBBS: -- I have a question. I guess
13 I'm just an old bogie now. I like to think that I'm
14 young at heart and everything, but, you know, I see
15 this picture of things I don't even know anything
16 about, sparkling hot water crafted with adaptogens and
17 new tropics.

18 CHAIR FERVIER: What?

19 MS. GRUBBS: That was -- yeah. And what's a
20 new tropic? I mean --

21 MR. SPARKS: I think a new tropic is a
22 marketing term, to be perfectly honest with you. You
23 know, I'm standing here myself in my own middle age,
24 but they're in no way any sort of illegal, unlawful, or
25 mind-altering substance. My understanding is that they

1 sort of help you calm down, sort of like an ashwagandha
2 tea.

3 CHAIR FERVIER: A what?

4 MS. KING: Ashwagandha tea.

5 MR. SPARKS: Holy basil or other tea. Heroin
6 from the Indian --

7 MS. KING: It's not better.

8 MS. GRUBBS: And mushroom coffee. I guess I'm
9 drinking the wrong kind of coffee in the morning.

10 MR. SPARKS: Oh, I think we're drinking the
11 right kind of coffee. I -- I've tried mushroom coffee
12 myself. I barely know what it is. I don't care for
13 the taste, but I like caffeine.

14 MS. GRUBBS: So I was out during this period
15 of time, you know, when they were doing all the music
16 at the -- the advanced voting locations and election
17 day stuff -- and I'm -- I'm exercising my voice to tell
18 you my personal preference. It irritates the stew out
19 of me that people do that because you get the loud
20 music going and you get the confusion.

21 And we already have confusion in our voting
22 locations by people ensuring that they even look at
23 their ballot once they have pushed the buttons to
24 prepare their ballot and all that kind of stuff. And
25 then you get all this agitation surrounding it, too.

1 Again, call me an old bogie, but, you know, we
2 get to the law, and the law is whether they were inside
3 or outside of the 150 feet, regardless, you know, we
4 talk about the different campaign materials and
5 campaign dress and things like that, you know, dress in
6 purple. What is the significance of dressing in
7 purple? Can you tell me that?

8 MR. SPARKS: Well, according to their
9 description of the event is no matter who we are,
10 whether Democrat or Republican, liberal or
11 conservative, or somewhere in between, we all desire a
12 world filled with peace and other fun things. So they
13 say, dress in purple and let's Party to the Polls,
14 let's then identify each other, I suppose.

15 I have to disagree a little bit on the -- on
16 the premise of your question. Not -- not that I
17 disagree about we can -- I'll put the voting machine
18 question to the side for some obvious reasons.

19 I think one person's agitation is another
20 person's celebration. And I understand that you
21 personally, Ms. Grubbs, the longtime openhearted
22 activist who cares about our elections, may have a
23 certain view about exactly what the environment for
24 voting should be for you.

25 I would submit that for people younger than

1 either of us who have a different view of what the
2 American exercise of the vote is all about, they may
3 look for something different and maybe want to
4 celebrate that and express themselves in a different
5 way.

6 MS. GRUBBS: I agree, and I understand. And
7 to that point, are there any veterans in this room
8 right now?

9 MR. SPARKS: Sure there are.

10 MS. GRUBBS: So as a veteran, you commit to
11 die for your country for freedom. And part of that
12 freedom is the right and free exercise of voting. And
13 to some people, that's very solemn.

14 And to me, it's a very solemn occasion. And I
15 don't appreciate groups like this. They can do it if
16 they're outside the boundaries and they're within the
17 law. That's fine.

18 But when you're affecting voters like that
19 that are inside the boundaries, that's why I just want
20 to verify what the boundaries are and that they were
21 not within the boundaries, that's fine. But to other
22 people, it's a solemn occasion.

23 MR. SPARKS: Absolutely, Ms. Grubbs. And I
24 respect your opinion for you saying that. I do think
25 that as John Lewis responded saying, the vote is almost

1 sacred.

2 MS. GRUBBS: It is sacred.

3 MR. SPARKS: It is certainly and almost
4 sacred. I reserve sacred for a certain religious here,
5 but I -- we'll differ on the semantics. Two things,
6 one, I agree that you're right. And -- and to that
7 end, the Code provides for a different application of
8 the control of conduct and speech both.

9 And not just of the campaign nature, but
10 conduct and speech both once you're actually in the
11 polling place. And that is a specific meaning, right.
12 The polling place has a specific meaning. The enclosed
13 space has a specific defined meaning.

14 So one, yes, and that's true, certainly within
15 that space. Second, my -- my point is that there was
16 not unlawful activity here because there was no
17 campaign material, no campaign activity within the
18 bubble.

19 I -- I don't think there's a way to contort
20 the language of the statute to capture what this was.
21 Now, again, I respect the Boards will. If the Board
22 feels differently going forward, I think that's why a
23 letter of instruction clarifying what it is that you
24 mean, or maybe I'll -- I'll leave this to your counsel.

25 I wouldn't dream to step in for Ms. Young, but

1 this may be a subject for rule-making, something to
2 notice and common so that veterans or other -- I don't
3 want to use your words -- other parties who prefer
4 quiet and rectitude with voting can come in and talk
5 about why that's important and why the law should be
6 interpreted that way.

7 And perhaps on the other side of things, folks
8 like my friends at Daybreaker can come in and talk
9 about why they feel that joyful noise is the best
10 celebration and embodiment of that voting.

11 MS. GRUBBS: Joyful noise is subjective. To
12 some people --

13 MR. WILLIAMSON: That's true. It is.

14 MS. GRUBBS: -- praising God would be joyful
15 noise. And to other people, doing yoga is joyful, I
16 guess.

17 MR. WILLIAMSON: And -- and I can't rule out
18 that people were loudly praising God in the middle of
19 this event. I -- I don't know because I wasn't there
20 and neither were any of us. It's certainly possible.

21 That would also be protected expression, by
22 the way.

23 MS. GRUBBS: It would be protected.

24 MR. SPARKS: That would also count.

25 MS. GRUBBS: And I agree with protecting

1 people's right to voice their opinion and all of that.
2 My concern is that space, that 150-foot space. So I
3 don't know that we have -- do we have verification that
4 it was within the 150 feet?

5 CHAIR FERVIER: He stated it was.

6 VICE CHAIR JOHNSTON: Ms. -- Ms. Allen --

7 MS. GRUBBS: He said the stage was, yeah.

8 VICE CHAIR JOHNSTON: Yeah.

9 MR. SPARKS: I can't -- I can't rule it out if
10 it was actually, but yeah. Yes.

11 VICE CHAIR JOHNSTON: It's 108 feet inside the
12 boundary.

13 MS. GRUBBS: Yes.

14 MR. SPARKS: According to --

15 VICE CHAIR JOHNSTON: According to --
16 according to the complainant, Ms. Allen.

17 MR. SPARKS: Well, the -- the --

18 VICE CHAIR JOHNSTON: And the investigator,
19 Mr. Patterson.

20 MR. SPARKS: Well, if the investigator was
21 there, I think that's a different issue. And that's
22 not something that's been made privy to me until the
23 last ten seconds. As far as Ms. Allen, I have to
24 respectfully disagree with the accuracy of her
25 recollection.

1 VICE CHAIR JOHNSTON: All right.

2 MS. KING: I have a question.

3 MR. SPARKS: Yes, ma'am.

4 MS. KING: You said this was not a political
5 event?

6 MR. SPARKS: That is what that -- let me think
7 about my words. No. I -- I accept in the broadly
8 based civic virtue that everyone should vote. The same
9 civic value expressed by the State, by every county, by
10 many of our civic organizations.

11 In that sense, lower case P, political, sure.
12 Within the meaning of the statute, I -- I have to
13 disagree. I don't believe it was.

14 MS. KING: I see a picture of a stack of I
15 voted stickers. I mean, it's a thick stack, if you
16 look at it of I -- I voted. Do you know the purpose
17 why -- why this party would have a stack of stickers
18 that say, I voted if they're not handing them out for
19 any particular purpose of --

20 MR. SPARKS: I --

21 MS. KING: -- possibly exchange?

22 MR. SPARKS: Sorry. I didn't mean to cut you
23 off. I've never seen that photo before, and I've
24 looked at a lot of photos over the last nine days, so I
25 can't tell you where that's from, what it's from, what

1 time it's from.

2 MS. KING: You're saying this is not from the
3 party -- I mean, it's -- it's --

4 MR. SPARKS: I'm saying I haven't seen it is
5 what I'm saying.

6 MS. KING: I mean, so should we continue this
7 so the Daybreaker can show up? I mean --

8 MR. SPARKS: No. I don't -- I don't --

9 MS. KING: If we have questions that can't be
10 answered. I mean, I'm looking at a stack of
11 pictures --

12 MR. SPARKS: I'm -- I'm not --

13 MS. KING: -- from the event, and this is a
14 plastic bag full of stickers that say, I voted. It's
15 not the Georgia stickers, so it's personalized. I -- I
16 went on Amazon to see if these could be ordered on
17 Amazon. They can.

18 And I just want to know what's the purpose.
19 If -- if you get -- if I get my sticker once I vote
20 from the election workers, so do I then show that and
21 get this sticker to go get something?

22 MR. SPARKS: That's --

23 MS. KING: Like, what's happening? I don't
24 know.

25 MR. SPARKS: Not at all. Not at all --

1 MS. KING: Well, I mean, but -- but you can't
2 answer that.

3 MR. SPARKS: No, I can tell you that. I can
4 tell you that.

5 MS. KING: How can you answer that?

6 MR. SPARKS: I can answer that because
7 instructions were given to everyone who was working on
8 this event to not connect anything that they were doing
9 to any sort of voting activity because they cared about
10 following the law. No --

11 MS. KING: But you can't explain this picture.

12 MR. SPARKS: I don't know where that photo
13 comes from. So no, I can't explain the exact how it's
14 been authenticated, where it comes from, what the
15 details might be. I can say that, given that the table
16 where the food and drink were -- were unequivocally
17 outside of this 150-foot protective zone, whether those
18 stickers were there or not -- and let's assume that
19 they were -- that's still core political speech.
20 That's not regulated by the statute in that regard.

21 MS. KING: No. What I'm saying is but you
22 can't explain the purpose of them, right? So it's,
23 like -- it looks like there's hundreds of -- of these
24 stickers, right, that is associated with this event.

25 It -- it's -- I mean, it's in the pictures

1 with all the other pictures of the event. So I have no
2 reason to believe it just accidentally popped up. I
3 mean, it's outdoors.

4 It's -- I mean, it looks very similar. The
5 background, everything looks very similar. So you're
6 telling me that you don't know the purpose of these?

7 But you're also telling me that it wasn't
8 anything nefarious.

9 MR. SPARKS: I'm telling you, A, it's
10 speculative at best, and that I'm just hearing about
11 this for the first time and responding on my feet. So
12 bear with me.

13 A, it's speculative at best. B, if it was at
14 the table, that means it was outside of the 150-foot
15 zone. C, if it were there, that's core political
16 speech that would be protected.

17 And B, I'm saying that it is contrary to
18 evidence that I'm trying to share with you now about
19 the purpose of the event, about the rules that were
20 laid down for people who work there, and there's
21 nothing but speculation on the other side. And so to
22 say that because there was a bucket of I voted stickers
23 at the table, if that were so --

24 MS. KING: There's no table. I don't know
25 where you're getting the table from. I'm not referring

1 to a table.

2 MR. SPARKS: I've already described this.

3 CHAIR FERVIER: I think that my problem with
4 this is --

5 MS. KING: Well, if I could just finish.

6 CHAIR FERVIER: I'm sorry. I'm sorry. I
7 thought you were done.

8 MS. KING: No, I'll -- I'll wrap it up.

9 CHAIR FERVIER: No. I'm sorry.

10 MS. KING: The question I -- I would like
11 answered --

12 MR. SPARKS: Yes, ma'am.

13 MS. KING: -- is the purpose. I would like to
14 know why an organization -- because the way you framed
15 it was that they were just there to have fun, create a
16 joyous experience for those who were potentially going
17 to vote. There was no intention of exchanging anything
18 for voting.

19 MR. SPARKS: Correct.

20 MS. KING: But yet, I see a picture of a stack
21 of stickers that say, I voted, and they're not election
22 workers. These are just people that were just at a
23 random parties. We -- you're framing it like it's just
24 this party that everyone has.

25 They can all party here, and then I guess

1 we're all going to go vote as a group, so much so that
2 they notify the election workers --

3 MR. SPARKS: That's right.

4 MS. KING: -- that there could be a group of
5 people going in and voting, correct?

6 MR. SPARKS: At the same time, yes.

7 MS. KING: Right.

8 MR. SPARKS: Right.

9 MS. KING: But yet, you can't explain why
10 these -- I -- I say they stickers. It could have just
11 been printouts --

12 MR. SPARKS: It could have been.

13 MS. KING: -- that they are -- but it's a lot
14 of them. So it looks like they're handing them out.
15 Why would you hand out I voted stickers?

16 MR. SPARKS: Because some people are proud of
17 voting, and because they're -- they're coming to an
18 event where anyone is welcome. But certainly, there
19 are people that said, I would like to celebrate my vote
20 with other people. That's why some people like to do
21 it in person.

22 MS. KING: But, you know, you get a sticker
23 after you vote.

24 MR. SPARKS: At some places. I haven't
25 always, but we can put that aside as a -- as an issue

1 with my county office. But let's say you did,
2 what's -- what's wrong with having more? What's wrong
3 handing out --

4 MS. KING: Well, you're defending something
5 you haven't seen.

6 MR. SPARKS: Hold on. Hold on. You're
7 dropping something I haven't seen on me, and I'm trying
8 to address your concern, ma'am. That -- that's the
9 whole point.

10 MS. KING: Well, what I'm -- what I'm trying
11 to understand --

12 MR. SPARKS: Right.

13 MS. KING: -- is so I asked the question that
14 I felt like only Daybreakers can answer because you
15 said you haven't seen the pictures. You have no idea
16 what it is, and you can't explain it. But yet here we
17 are.

18 MR. SPARKS: That's -- that's not what I said.

19 MS. KING: Okay. What did you say? I'm
20 sorry.

21 MR. SPARKS: I said that I haven't seen that
22 photo before. I've looked through many photos about
23 this event, I've never seen that one.

24 I have no way of verifying it. I have no way
25 of authenticating it. I have no way of knowing whether

1 someone associated with the event brought it or not, or
2 whether some -- sorry, something from the audience --
3 whether someone from outside the event brought them to
4 distribute as well.

5 I -- I don't know that. I can't tell you
6 exactly what that was. I can tell you that what you
7 are floating is contrary to the evidence in front of
8 you.

9 It's contrary to what I've investigated and
10 I'm telling you, it's contrary to the Secretary of
11 State and investigator's report. So I -- I suppose
12 someone could bring anything to any group of people
13 that happen to be within 200 feet of a voting location.
14 They could pass them out of their own accord. I don't
15 know that, that much is true.

16 But I -- I don't think the connections that
17 you're drawing are tenable in light of the record that
18 we have. That's all I'm trying to say.

19 MS. GRUBBS: Why isn't Daybreaker here?

20 MR. SPARKS: I don't -- because they hired me.

21 CHAIR FERVIER: Let me -- let's talk about the
22 facts.

23 MR. SPARKS: Yes.

24 CHAIR FERVIER: The stage was within 15-feet.

25 MR. SPARKS: I think it's possible, yes.

1 CHAIR FERVIER: Probable.

2 MR. SPARKS: Okay.

3 CHAIR FERVIER: Probable. All right. Stage
4 within 150 feet. The event was titled, Party to the
5 Polls.

6 MR. SPARKS: That's true.

7 CHAIR FERVIER: Which means you're encouraging
8 people to go to the polls. Yes. You -- they don't
9 deny that.

10 It's part of -- it's Party to the Polls. So
11 you're -- you're encouraging people to vote within 150
12 feet of the polls. And, you know, we just heard a case
13 earlier about a lady who gave out things on Facebook
14 to, you know, go to a food truck. That wasn't done
15 within 150 feet of the polls, that was done on
16 Facebook, you know.

17 Well, you can talk. But -- but my concern is
18 that the stage was within 150 feet, and that it was
19 Party to the Polls. And those two things, to me, seem
20 to be a violation of the 150-foot, you know, limits of
21 campaigning.

22 And while they may not have been campaigning
23 for any particular candidate, they were having a
24 political event -- event within 150 feet of the polls.
25 I mean, that's -- that's the way I view it, you know.

1 MR. SPARKS: I -- I understand the Chair's
2 concern, and that's why I think that the Board is --
3 would like to use this as an opportunity to educate the
4 public, election workers, state election workers,
5 and -- and future events, I suppose. I think a letter
6 of instruction on the 414 point would be appropriate
7 because it interprets the statutory language that
8 otherwise simply doesn't capture this activity.

9 To my mind, this reminds me of the
10 colloquially -- I'll call it the Herschel Walker gas
11 card case. I think it was 34N22 was the PAC. I might
12 have the case number.

13 So I remember reading that. Yeah, SEB
14 2022-205. So in that case, you had a PAC that was
15 clearly aligned with and exhibiting express advocacy
16 for a senate candidate back in 2022, standing at
17 multiple gas stations, asking people who they intended
18 to vote for, and then handing them a \$25 gas card or
19 voucher.

20 That to me, is much closer to the conditioning
21 line than something like this would be where people are
22 engaging in yoga on a lawn and accepting beverages on a
23 warm October day. And in that --

24 CHAIR FERVIER: Well, they can engage in what
25 they want to.

1 MR. SPARKS: If I could just finish my point.
2 15 seconds, Mr. Chair. My point there is that this
3 Board unanimously decided to issue a letter of
4 instruction and to dismiss the case because while they
5 did not find a violation of the statute concerning
6 conditioning, giving away things on voting activity,
7 they did want to make clear, this is too close to the
8 line.

9 This is not something that organization should
10 be doing, and going forward, you need to refrain from
11 doing so. That -- that's the line I'm drawing for
12 consistency sake.

13 And that's what this case, to the extent you
14 were inclined to find activity that you don't feel
15 comports with the text of 414, that's the sort of
16 resolution that I think would be appropriate given past
17 practice of the Board.

18 MS. GRUBBS: Mr. Sparks --

19 MR. SPARKS: Thank you for the indulgence.
20 Yes, ma'am.

21 MS. GRUBBS: -- their -- their website
22 literally says, "Mischievous, break the rules with love."

23 MR. SPARKS: Well, yes. It also says all
24 sorts of other things such as having fun, enjoying
25 life. There's -- let's not -- I appreciate what you're

1 saying, Ms. Grubbs, but let's not take the marking and
2 speak is all I'm saying.

3 MS. GRUBBS: And the comparison to the
4 Herschel situation is completely not related.

5 MR. SPARKS: I -- I disagree, ma'am.

6 MS. GHAZAL: All right. I will cite a
7 different case, and that was not unanimous. I won't --
8 I -- if it -- and if it reads unanimous, it was not
9 properly before anybody.

10 Tomato, tomato. There was no case --

11 MR. SPARKS: Motion passes unanimously.

12 MS. GHAZAL: No, it was not.

13 MR. SPARKS: Okay.

14 MS. GHAZAL: Okay. So there was another case
15 in which we issued a letter of either instruction or
16 reprimand to a candidate who is a -- who is an election
17 lawyer, who went to vote with a sticker of his --
18 promoting his own campaign and candidacy, went in and
19 voted, and, in fact, invited a news crew, and it was
20 covered by local news. That is the absolute letter of
21 the law electioneering, and this body issued a letter
22 in response to that.

23 So should we go any further than that, then we
24 would be entirely inconsistent with our own precedent
25 that we have set. Because I do believe that under 414,

1 soliciting votes in any manner or by any means or
2 method, arguably, this -- this might fall under that.

3 Now, to be clear, if it were all outside of
4 the 150-foot zone, it would be wholly lawful. It would
5 be wholly lawful, in fact, was wholly lawful because
6 one of the complainants here was a candidate, and she
7 was outside 150-foot and -- and holding her own
8 campaign signs. And that is wholly lawful because this
9 is expressly First Amendment protected activity, which
10 means that any regulation of it must fall under what's
11 called strict scrutiny.

12 It must be narrowly tailored, and it must be a
13 compelling government interest that we are protecting.
14 And the right to vote is absolutely a -- a compelling
15 interest. The 150-foot zone is what we have determined
16 in Georgia to be narrowly tailored.

17 Other states have a much smaller zone. I'm
18 grateful that Georgia has the 150-foot zone. But that
19 is -- that's all we're talking about here.

20 Entirely lawful to do all of these activities
21 outside 150-feet. Inside 150-feet, it is a technical
22 violation. But since we have done -- since we have
23 issued letters of instruction for what I consider far
24 more egregious activity, I think we need to take that
25 into account.

1 VICE CHAIR JOHNSTON: Mr. Chair, the -- the
2 candidate who walked into a polling place with his name
3 on his shirt was a case that was linked to the Atlanta
4 Journal-Constitution by somebody on this board. And
5 that candidate was actually called before the case was
6 heard by the -- the Atlanta Journal-Constitution
7 newspaper, asking if he had any comment on his case
8 that would be recommended to be referred to the
9 Attorney General.

10 I consider that some misconduct by this Board.
11 And that I think those are the extenuating
12 circumstances why that candidate in that case, ended up
13 with a letter. This case is well within the 150-foot
14 boundary.

15 It involves Party to the Polls, a political
16 event. It involves food and -- food and drink. It
17 also -- it actually, the auditory aspect of this is the
18 partying was inside the polling place.

19 There -- there obviously, within the -- the
20 confined area of voting, voters were having to listen
21 to the Party to the Polls.

22 MR. SPARKS: These allegations are nowhere in
23 the record, Dr. Johnston. I don't -- I don't know what
24 to tell you.

25 VICE CHAIR JOHNSTON: Well, that's -- that's

1 not an allegation. It's just an observation.

2 MR. SPARKS: Did you -- did you vote at the
3 High on the 19th in 2024?

4 VICE CHAIR JOHNSTON: No.

5 MR. SPARKS: Okay.

6 VICE CHAIR JOHNSTON: But I have the video.

7 MS. KING: Right.

8 MR. SPARKS: Which I -- I've asked for
9 repeatedly.

10 VICE CHAIR JOHNSTON: We could play it.

11 CHAIR FERVIER: Would it -- would it make a
12 difference? I mean, would it make -- would it make a
13 difference? Are we ready to --

14 MR. MILLS: Move the previous question.

15 CHAIR FERVIER: -- make a motion on this?

16 VICE CHAIR JOHNSTON: Mr. Chair, I'm going to
17 move to refer this to the Attorney General.

18 CHAIR FERVIER: We have a motion to refer to
19 the Attorney General. Do we have a second?

20 MS. KING: Yeah. I second because I have
21 questions about it.

22 CHAIR FERVIER: We have a motion to refer it
23 to the AG, and we have a second. Is there any
24 discussion? Hearing no discussion, all those in favor
25 of sending this to the AG, signify by saying aye.

1 (Ayes were heard.)

2 CHAIR FERVIER: Any opposition?

3 MS. GHAZAL: Nay.

4 CHAIR FERVIER: Motion carries three to one.

5 MR. SPARKS: Thank the Board for your time and
6 attention.

7 CHAIR FERVIER: Thank you.

8 MR. SPARKS: This is my last case today. May
9 I be excused?

10 CHAIR FERVIER: Absolutely.

11 MR. SPARKS: All right. Thank you.

12 CHAIR FERVIER: Thank you. Safe Travels.

13 Next case on the agenda is SEB 2024-254,
14 Fulton County, double voter. Is this respondent
15 available by Zoom?

16 Okay. Mr. Executive Director.

17 MR. MILLS: On December 17th, 2024, the
18 Secretary of State Investigation Division received a
19 complaint alleging a voter voted in North Carolina and
20 Georgia for the November 2024 general election. This
21 is a potential violation of OCGA 21-2-572.

22 CHAIR FERVIER: The respondent, this is
23 Phineas Giegengack. I hope I got that right.

24 Mr. Giegengack, are you on the phone? Mr. Giegengack,
25 are you on the telephone?

1 We don't seem to have Mr. Giegengack. Well,
2 that's unfortunate. Any questions from the Board on
3 this case? Any comments from the Board?

4 MS. GHAZAL: Mr. Chairman?

5 CHAIR FERVIER: Yes, Member Ghazal.

6 MS. GHAZAL: The report says, "Regarding
7 Georgia records showing voter credit, the investigation
8 confirmed through a review of election records by the
9 County that there was no documentation found to support
10 the allegation that the respondent voted in person in
11 Georgia. The Respondent never signed in on the poll
12 pad because of the name he provided could not be found
13 on the voter list.

14 The poll manager had to contact the main
15 office for an activation code. Respondent had left the
16 polling location, and based on what was reported by
17 Fulton County Election Management, the registration set
18 inadvertently issued voter credit."

19 So in fact, he never actually -- but according
20 to the records that we have, he did not actually vote
21 in Georgia.

22 CHAIR FERVIER: That's -- that's exactly what
23 I came up with, is that he had tried to vote between
24 10-18 and 10-25, was unable to vote in Georgia because
25 he had a different name in Georgia after voting

1 absentee in North Carolina, I guess, on 10-8. So the
2 question is whether there's a violation if you try to
3 vote, but you don't actually vote.

4 VICE CHAIR JOHNSTON: Was he given credit for
5 voting?

6 MS. GHAZAL: That -- the -- the record says,
7 what -- what I just read, that -- that they -- he was
8 inadvertently given credit for voting, but that he did
9 not vote.

10 MS. KING: Yeah. From my understanding, there
11 was not a provisional ballot offered to him. So he was
12 left while they were waiting to get an activation code
13 so that he could vote on the BMD.

14 And then he never came back once the
15 activation code was received. But was he given credit
16 because he was there in person, even though he didn't
17 vote? That's -- that would be my question.

18 CHAIR FERVIER: It says the staff
19 inadvertently issued Giegengack voter credit without
20 confirming the activation code was activated and
21 assigned to a voter.

22 MS. KING: Yeah.

23 CHAIR FERVIER: Does Fulton County have a
24 response to that?

25 MS. GHAZAL: Yeah. I have -- we've had no

1 notice of this case. I have no information. When we
2 saw Fulton County listed for 2024-254, we did e-mail
3 staff.

4 Ms. Phillips responded back and said Fulton
5 County was not a respondent. She could not share the
6 investigative summary with us. So I haven't seen -- we
7 have not seen the investigative summary.

8 We have -- we have no -- we didn't -- we
9 just -- I just heard that name for the first time when
10 you said it when he read the summary report so...

11 MS. KING: You're familiar with it?

12 UNIDENTIFIED FEMALE 1: I know what happened.

13 MS. KING: Okay.

14 CHAIR FERVIER: Well, we would love to hear.

15 UNIDENTIFIED FEMALE 1: Okay. Our system
16 during early voting is if someone is not found on the
17 poll pad, the poll staff reaches out to the
18 registration staff to see if this person is eligible to
19 vote. By the time we found him, because he does have
20 three names, he left.

21 My staff is not supposed to give credit until
22 we hear back from the poll staff that that person casts
23 the ballot. My staff member gave the credit because it
24 was busy, it was November 2024 during the November
25 election. They gave credit.

1 When we went back because Mr. Giegengack voted
2 in North Carolina, he decided to do his absentee
3 ballot, and he told North Carolina, I never voted in
4 Georgia. And we went back, looked for the paperwork,
5 and then we keep a trail in Teams. It's a team chat
6 when we give the activation code, and then they back to
7 us, say, he's voted.

8 We didn't have that trail, nor did we have
9 paperwork for him early voting, signing the application
10 for advanced in person voting. So I took away the
11 vote -- the credit for voting because he really did not
12 vote.

13 MS. KING: So basically, she was -- he or she
14 was being proactive by giving them credit, even though
15 they didn't have --

16 UNIDENTIFIED FEMALE 1: They moved on, didn't
17 wait for the --

18 MS. KING: -- have confirmation of evidence.

19 UNIDENTIFIED FEMALE 1: -- for the
20 confirmation. Because we get a confirmation, and
21 they're supposed to -- if the poll person gets busy and
22 doesn't respond, they -- before they give credit, they
23 still have to ask the poll, hey, did this person cast a
24 ballot, and they didn't do it.

25 MS. GHAZAL: Have you provided any additional

1 training to your staff to make sure that that
2 confirmation comes in?

3 UNIDENTIFIED FEMALE 1: Yes.

4 CHAIR FERVIER: I mean, I guess my issue here
5 is this guy tried to vote illegally. He was unable to
6 do so but he tried to vote illegally and --

7 MS. KING: So he decided to go to North
8 Carolina since Georgia didn't work.

9 CHAIR FERVIER: He -- I thought he --

10 MS. KING: Yeah. He -- he came --

11 MS. GHAZAL: He came back.

12 MS. KING: He did come back. But then after
13 he sent the -- the absentee to North Carolina.

14 MS. GHAZAL: Yeah.

15 MS. KING: Oh yeah.

16 CHAIR FERVIER: He -- he voted by absentee
17 ballot in North Carolina on October 8th. And then came
18 to Georgia and tried to vote.

19 MS. KING: He tried to vote twice. Well, he
20 tried to vote and then it didn't work out and came
21 back.

22 CHAIR FERVIER: Okay. The respondent's trying
23 to call in, so we're seeing if we can get that set up.

24 Mr. Giegengack, are you on speaker? You --

25 MR. GIEGENGACK: I am. Are you able to hear

1 me?

2 MS. KING: We can hear you.

3 CHAIR FERVIER: We can hear you. Would you
4 like to explain --

5 MR. GIEGENGACK: I'm speaking.

6 CHAIR FERVIER: Would you like to explain what
7 happened, please?

8 MR. GIEGENGACK: It's just what it says in --
9 in that file is that I registered -- I've been
10 registered to vote in North Carolina, where I'm from,
11 and I was told that it was acceptable to register to
12 vote in Georgia, provided that I did not vote during
13 the same election cycle in both locations.

14 So I did that with the intent to vote early at
15 the Georgia Tech early voting opportunity. So I went
16 to that and I was in line and waiting and -- and being
17 processed for about two to three hours, at which time I
18 had to leave for a different appointment. Never voted
19 there.

20 I did not vote in the state of Georgia. And
21 then I decided it was more convenient for me to vote by
22 absentee in North Carolina. So I did that and never
23 attempted to vote in Georgia after that.

24 CHAIR FERVIER: Well, the investigation says
25 that you submitted an absentee ballot by mail in North

1 Carolina dated October 8th, 2024, and then you
2 attempted to vote in Georgia after that.

3 MR. GIEGENGACK: That is not -- the timeline
4 is wrong. I think I received -- maybe I received an
5 absentee ballot from North Carolina, but I didn't mail
6 it to -- decided not to vote in Georgia.

7 CHAIR FERVIER: Well, it says it submitted an
8 absentee ballot by mail in North Carolina dated October
9 8, 2024.

10 MR. GIEGENGACK: Yeah. That was a long time
11 ago. I'm not certain of exactly the timeline, other
12 than I'm 100 percent positive that I did not actually
13 mail the -- the absentee ballot until after that early
14 voting situation where I was unable to vote in Georgia.
15 So I never -- at no point was I trying to vote in both
16 states at the same time.

17 MS. GHAZAL: Mr. Chairman?

18 CHAIR FERVIER: Yes.

19 MS. GHAZAL: Could we seek additional
20 clarification on the -- the ballot receipt when -- when
21 North Carolina received that ballot?

22 MS. KING: That should be part of the exhibit.
23 That should be the exhibit.

24 MS. GHAZAL: Yeah. And if it's not, it should
25 be very easily accessible information from North

1 Carolina so I --

2 MS. KING: Because early voting started on
3 October 15 here.

4 MS. GHAZAL: Yeah.

5 MS. KING: So anything before that.

6 CHAIR FERVIER: So it says, I mean, the Macy
7 Payne, North Carolina Elections Office, provided the
8 requested information which included Giegengack's North
9 Carolina voter registration application, absentee by
10 mail application dated October 8th, 2024 --

11 MS. GHAZAL: The application.

12 MS. GRUBBS: -- ballot return envelope stamp
13 received 11-4-24.

14 MS. GHAZAL: Okay. So November 4th?

15 CHAIR FERVIER: Yeah. November 4.

16 MS. KING: It's possible --

17 MS. GHAZAL: So that the timeline that -- that
18 Mr. Giegengack is -- is reporting is accurate?

19 CHAIR FERVIER: He --

20 MS. GHAZAL: He returned the ballot -- that
21 they returned the ballot November 4th. It was after he
22 was --

23 CHAIR FERVIER: And he attempted to vote in
24 Georgia between 10-18 and 10-25?

25 MR. GIEGENGACK: If that's the early voting

1 period when Georgia had candidates day when they did
2 that, then yes. But that sounds right to me.

3 CHAIR FERVIER: So you -- so you were going
4 to -- you were going to vote in Georgia, you couldn't
5 vote in Georgia, so then you turned in your absentee
6 ballot in North Carolina?

7 MR. GIEGENGACK: That's right.

8 CHAIR FERVIER: That's what the dates look
9 like.

10 MS. KING: That's what happens when you're
11 registered in multiple states. I guess you have that
12 luxury, right.

13 CHAIR FERVIER: Any more questions from the
14 Board? Chair will entertain a motion.

15 MS. GHAZAL: I would move that we issue a
16 letter of instruction with regard to residency because
17 a voter can only have one residency in one state at one
18 time.

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

21 MS. KING: Second.

22 CHAIR FERVIER: Is there a second?

23 MS. GRUBBS: Second.

24 CHAIR FERVIER: We have a motion and a second
25 from Member Grubbs to issue a letter of instruction on

1 this case. Any discussion? Hearing no discussion, all
2 those in favor signify by saying aye.

3 (Ayes were heard.)

4 VICE CHAIR JOHNSTON: It's about time.

5 CHAIR FERVIER: Any opposition? Hearing no
6 opposition, so moved.

7 Mr. Giegengack, you will receive a letter of
8 instruction which just gives you the -- explains to you
9 the proper procedures for registering in one state
10 only, okay?

11 MR. GIEGENGACK: Understood. Thank you.

12 CHAIR FERVIER: Thank you very much.

13 Unfortunately, that concludes our cases for today.
14 The -- the next item on the agenda is a report from the
15 executive director.

16 MR. MILLS: Mr. Chairman, I'll be quick.
17 First thing I want to do is I want to --

18 CHAIR FERVIER: If you -- if you are less than
19 a minute and a half, you get --

20 MR. MILLS: There's some places I no longer
21 eat at. I want to thank the City of Marietta for
22 making this facility available to us. And I want to
23 thank Board Member, Salleigh Grubbs for -- for giving
24 us contact here.

25 During renovations taking place at the

1 Capitol, we have to be fluid in where we meet right
2 now, and we apologize for that, but renovations, we're
3 not in control of that. So I thank, again, the City of
4 Marietta for -- for making this available to us.

5 I want to welcome a new employee. Our -- our
6 new administrative assistant, Sherre Phillips, has
7 joined us. She's over here beside Hope Coan, and she
8 started this month and doing a fabulous job and working
9 well with people in our office.

10 Our ORs, our open records, continue to come in
11 and just a brief report, we -- we're somewhere around
12 66 at this point, which is quite a few for -- for the
13 beginning of the -- the year until now. I won't go
14 into depth, but I will say that, you know, we're going
15 to keep an eye on the -- the legislature.

16 The legislature restored funds that were cut
17 initially in the supplemental budget back to the SEB to
18 the fully funded amount in the supplemental budget.
19 And that will go through the end of June -- June 30th,
20 and now they're in the process of the big budget,
21 fiscal year 2027.

22 We are again trying to get funds restored in
23 the exact same amount that -- that took place in the --
24 the supplemental budget. And we're hard at work on
25 that. I wish I had something definitive to report

1 on -- on that, but I don't.

2 I will say that in -- in the way of
3 legislation, we are all keeping our eyes on Senate Bill
4 214 right now. That has gone to the House Governmental
5 Affairs Committee and substitute has been it looks like
6 voted out, and we don't yet know the final version of
7 that, but in that version that was voted out, there
8 were some -- some added responsibilities given to the
9 state election board agency, and we'll need to keep an
10 eye on that.

11 And I would say that if they're going to add
12 responsibilities to us, then they are most certainly
13 going to have to give us the -- the funds to accomplish
14 those means because right now they're not there. And I
15 would say that it -- it says something of great
16 credibility to this board, in my opinion, when the
17 legislature is specifically designating, possibly
18 auditing task to this board versus the way that it's
19 been done in the past with another agency.

20 To me, it says that this board has -- has
21 bought some credibility in the legislative minds of
22 both the House and the Senate, and that's wonderful.
23 And I think it's a result of the hard work of this
24 board and voting through all the backlog of cases
25 that -- that did exist that no longer exist. And

1 that's it. That's my report.

2 CHAIR FERVIER: Thank you, Mr. Executive
3 Director.

4 VICE CHAIR JOHNSTON: Chairman Fervier, I
5 would like to thank all the work that Executive
6 Director Mills has put into this humongous position and
7 task that he's really handled -- handled beautifully.
8 And -- and I'll add to your report that as of right
9 now, other than these couple of continued cases, we
10 have no cases that are prepared and ready and properly
11 edited to present at our next meeting in April. So my
12 congrats to our organization and -- and the board's
13 efforts, everybody's efforts. Thank you so much.

14 MR. MILLS: Thank you, Mr. Chairman. And if I
15 may, I just want to say we want to this month, start
16 trying to recognize each board member when they reach
17 another year. And it just so happens this month is
18 Dr. Jan Johnston's four years on this board. And you
19 deserve -- all -- all of the board members, you're
20 volunteer board members, and we're not going to --
21 nobody always agrees.

22 But what we do agree is that we love our
23 country, and we may have different ways of trying to
24 get it to the same place, but I think we all love being
25 Americans, we all love being Georgians, and we all

1 fight for our freedom in our own way. And I -- I say
2 thank you to the entire board.

3 MS. KING: Thank you.

4 CHAIR FERVIER: Thank you. I want to -- I
5 want to emphasize that the executive director said
6 there are ongoing construction things at the Capitol
7 [inaudible 04:57:42]. And so for the foreseeable time,
8 we'll be meeting in different locations. The next
9 month, we'll meet in Dawsonville, and we're still
10 working out the May meeting in June and all.

11 So we will be traveling around with this road
12 show for a little while anyway.

13 UNIDENTIFIED MALE 1: Touring the state.

14 CHAIR FERVIER: Touring the State. That's
15 right. Can we get one in Blue Ridge, please?

16 UNIDENTIFIED FEMALE 2: Dawson County.

17 MS. KING: Yeah, Dawson County.

18 CHAIR FERVIER: Dawson County. Dawsonville.

19 MS. KING: Dawsonville.

20 CHAIR FERVIER: It's Dawsonville.

21 MS. KING: Dawsonville.

22 UNIDENTIFIED FEMALE 2: Oh, Dawsonville.

23 CHAIR FERVIER: Yeah. Yeah.

24 MS. KING: Yeah.

25 CHAIR FERVIER: Yeah. Can we get one in Blue

1 Ridge? So that's -- yeah. So that's -- just expect to
2 do a little traveling with us.

3 Next item on the agenda is -- we're in the old
4 business section, the former SEB employee, Alexandra
5 Hardin, and it has to do with her text messages.

6 Ms. Hardin has been contacted and invited to attend the
7 next board meeting to respond to that.

8 MS. KING: April. Okay.

9 CHAIR FERVIER: Yeah. The next item is State
10 Election Board emails and text messages. Just today, I
11 delivered former chairman, Matt Mashburn's e-mails,
12 which he provided. The executive director has that.

13 And the Secretary of State's Office has said
14 that they're willing to provide whatever else we have
15 out there. I think there are just two more out there.

16 Just today, she responded and said she's
17 willing to provide those for Alexandra Hardin and
18 Addison Hooks, I guess. So those will be coming in
19 shortly, I expect.

20 Next item is the social media website.

21 VICE CHAIR JOHNSTON: No update.

22 CHAIR FERVIER: No update. There's no update
23 on that one. But we are just going through this quick.

24 MR. MILLS: Mr. Chairman, if I may, on the --
25 on the social media website, I don't know that we've

1 made this public, but Hope Coan has put together a -- a
2 Facebook site that you can simply look up with Georgia
3 State Election Board, and we try to just keep news
4 there and when we have meetings and things. There's
5 other places you can find it, but that's there.

6 CHAIR FERVIER: When we get into new business,
7 did any board member have anything that we needed to
8 add? Member Ghazal, you were going to add that under
9 the one discussion, right? Your proposal? Yes. Okay.

10 We're going to -- we're going to change things
11 a little bit here. We're going to go straight to the
12 rule petition with Stefan Bartelski. Mr. Bartelski
13 here?

14 MR. BARTELSKI: Yes.

15 CHAIR FERVIER: Mr. Bartelski has a SEB rule
16 proposal, and as I stated earlier, this Board will hear
17 proposals for rules, and then either vote to initiate
18 rule-making procedures or not, or choose to do nothing.
19 Actually, we're not required to do anything if we don't
20 want to.

21 And if the Board votes to initiate rule-making
22 procedures, then the rule will be posted for public
23 comment, and at a subsequent date, the Board will then
24 vote on whether to accept or deny the rule proposal.
25 And so this is the first step. Well, the first step

1 was him creating this rule proposal.

2 The second step is for the Board to hear the
3 rule proposal and move or not move from there.

4 Mr. Bartelski, would you -- if you could keep this,
5 please to, you know, somewhere between five and seven
6 or eight minutes for the Board and then be able to
7 answer any questions for us, please.

8 MR. BARTELSKI: Yes. I can keep it short.
9 And to make sure I don't ramble too much, I have
10 written down a statement which will explain the reasons
11 for this rule. I believe you've all seen the proposal
12 in your documentation.

13 CHAIR FERVIER: Yes. And would you just state
14 your name for the court reporter, please?

15 MR. BARTELSKI: Yes. Stefan Bartelski. I'm a
16 voter in Forsyth County. So thank you for this
17 opportunity for a proposal. It's a new rule aimed at
18 ensuring uniformity in election practices across
19 Georgia.

20 As an advocate for election integrity with a
21 strong commitment to legal compliance, I draw your
22 attention to the statutory duties outlined in OCGA
23 21-2-31, which states in part, it shall be the duty of
24 the State Election Board to promulgate rules and
25 regulations so as to obtain uniformity in the practices

1 and proceedings of superintendents, registrars, deputy
2 registrars, poll officers, and other officials, as well
3 as the legality and purity in all primaries and
4 elections.

5 In my experience, collaborating with election
6 integrity groups statewide, I have identified
7 inconsistencies in how certain county boards of
8 elections handle voter registration challenges.

9 Specifically, a limited number of counties have
10 implemented or are proposing local policies imposing
11 financial requirements on challenges, such as fees for
12 labor, materials, and services, including copying
13 costs.

14 Additionally, at least one county mandates
15 physical submissions in hard copy, and especially
16 requiring eight copies per challenge. As you can
17 imagine, that necessitates multiple reams of paper and
18 also additional costs for the challenger. These
19 variations directly contravene the Board's mandate to
20 promote uniformity, as I just mentioned, providing
21 clear standing for this Board to intervene.

22 While some counties adopt similar approaches,
23 others don't have it and therefore diverge
24 significantly, undermining statewide consistency. It
25 is my -- it is in my view that these -- that these

1 measures actually function as deterrents to legitimate
2 challenges akin to historical barriers like poll taxes,
3 rather than genuine cost recovery mechanisms.

4 Election boards, like other government
5 entities, are obligated to budget for statutorily
6 required activities, obviously, including those under
7 OCGA 21-229 and 21-2230. In the public comments,
8 someone mentioned thousands of challenges being so
9 costly. If the rolls were accurate enough, there would
10 be no necessity to make those challenges.

11 I'd like to give a reason why I think you
12 should vote in favor of continuing the processing on
13 this rule. On returning home from today's meeting,
14 let's suppose you arrive and your front door has been
15 broken open. You contact the emergency services and
16 say, I need someone to come and investigate.

17 MR. BARTELSKI: But you are informed of
18 upfront charges for officer deployment, mileage,
19 evidence collection, and related expenses. Such a
20 practice would be untenable and contrary to the
21 principles of accessible public administration.
22 Charging challenges is no different to that.

23 I respectfully urge the board to proceed with
24 the process to adopt this proposed rule prohibiting
25 these financial impositions and therefore mandating

1 uniform, no cost procedures for submitting voter
2 challenges. Thank you for your attention to this
3 matter.

4 CHAIR FERVIER: The board has been sent copies
5 of the rule. Are there questions?

6 MS. KING: Comments.

7 CHAIR FERVIER: Comments? Yes, please.

8 MS. KING: I've said this quite a few times,
9 that I do think that charging for public documents --
10 now, this is separate from what you're saying, but my
11 position is that charging for public documents, to me,
12 disenfranchises voters. It basically says that if you
13 have the money, you can get it. Not, you know, if
14 it's -- just because it's public.

15 And I kind of feel the same way when it comes
16 to the amount, the charges that are required when you
17 are issuing challenges as a citizen as well. My
18 question is whether or not we can instruct counties to
19 not take this fee, or if this is something that we're
20 going to get push-back from the legislature on.

21 CHAIR FERVIER: Any other comments?

22 MS. GHAZAL: I -- I have a question.

23 CHAIR FERVIER: Yes.

24 MS. GHAZAL: Do you have any data on how much
25 various counties have to expend on this? Because this

1 is not -- this is not a fee or an expense that counties
2 can anticipate because it's completely out of their
3 hands. So it's virtually impossible to budget for the
4 expenses that are incurred to process challenges.

5 Have you done any survey of counties to -- to
6 determine how much they are -- or what costs they are
7 absorbing?

8 MR. BARTELSKI: I haven't -- I haven't done
9 that other than, as I said, knowing there was one
10 county that said they were basically making the
11 challenger cover the cost of copying by doing that
12 copying. So obviously, we can -- you know, what is it
13 that the print shops, they charge you for black and
14 white, so 5 cents or 10 cents. She -- that -- that
15 grows very quickly.

16 MS. GHAZAL: Well, so does the mailing,
17 because it -- because under a statute, every challenger
18 must receive first class mail. And so -- so that the
19 postage itself adds up extremely quickly.

20 MR. BARTELSKI: It depends on which -- which
21 statute you're using. I believe, under 230, it's not
22 required. Under the 229, it is.

23 MS. KING: Well, however, challenges is a part
24 of the process. So it is it should be an anticipated
25 cost that there could be challenges, particularly if

1 you're not maintaining your voter rolls.

2 MS. GRUBBS: Here's my opinion. It's that a
3 lot of things are just common sense, right? And how
4 many voter registration cards go out to people that are
5 either not in the state or not eligible to vote or have
6 died, or who are not citizens, at some point in time,
7 there has to be an offset for that. And we see that
8 all the time. We -- we've seen it time and time in
9 Cobb.

10 It is not right, in my opinion, to charge
11 people to do a voter roll challenge because if all the
12 voter rolls were clean, you wouldn't have to do
13 challenges. If people moved and they took themselves
14 off the voter rolls, you know, like a responsible
15 citizen, you know, or if we had some other -- some
16 other way, some other tool to be able to be sure that
17 we did not have people voting in our elections that
18 shouldn't be, then that would be an issue.

19 And at some point, in my view, for whatever
20 it's worth, doing voter challenges, the onus is on the
21 counties to do that. I'm just sorry. It's just on the
22 counties to make sure the better rolls are clean.

23 MR. BARTELSKI: Okay. Well, if I may just
24 comment on that and what Member Ghazal said. Yes,
25 there is a cost to the challenges, but let's face it,

1 we as integrity advocates, we are actually doing work
2 that officially should be done by the counties. So
3 we're -- so we're actually saving the money by doing
4 that work.

5 The fact that there are -- that there are
6 other costs associated with that, but, you know,
7 that -- that's the problem with the voter rolls, that
8 we are trying to help get cleaned up so those costs
9 will not occur. But yeah, we -- are actually saving
10 money rather than costing money, and that's -- I think
11 that's an important thing that often gets overlooked.

12 VICE CHAIR JOHNSTON: Just a comment from the
13 Election Assistance Commission voter survey. As one
14 looks at the voter rolls over time, you can see that
15 the voter registration has -- since 1993, the NVRA
16 passage, has steadily increased, not only in Georgia,
17 but throughout the country. And Georgia, a mere eight
18 years ago, had a voter registration percentage of 75
19 percent, I believe.

20 Let's see. I'm sorry, had a -- in 2000, it
21 was 63 percent, and by 2004, it was 65 percent. By
22 2008, it was 80 percent. 2012, 81 percent. And -- and
23 it continues to increase. And Georgia now is
24 registered, if you get the ineligible voters who have
25 no restrictions from voting, then Georgia is registered

1 at 103 percent of its city citizen voting age
2 population.

3 So if efforts to contact ineligible voters and
4 convince them, encourage them, cajole them into
5 requesting in writing to be removed from the rolls
6 would be worth every bit of it. Because every -- every
7 thousand people on the rolls is associated with the
8 cost to conduct an election, to prepare for an
9 election, to have voting machines, to have personnel,
10 to have staff, to have -- to have what's available.
11 And it goes on and on.

12 And it's -- so it's a burden on the -- on the
13 election systems. At the same time, that there's a
14 cost to that, too. So if -- you know, and not to
15 mention that our concern, since we deal with election
16 law allegations and violations, is that -- that
17 temptation to use voters that are infrequent voters or
18 very low propensity voters, to use those potentially
19 for voter fraud.

20 MR. BARTELSKI: And if I may then just say one
21 last thing. I think the main thing here is whether
22 there are costs or not. It's also about uniformity,
23 and that is definitely in your wheelhouse.

24 MS. KING: That is.

25 MR. BARTELSKI: Because one county doing it

1 and another not doing it, it makes -- makes a huge
2 difference.

3 VICE CHAIR JOHNSTON: Well, I have
4 similarly -- I have a similar question about the -- the
5 authority of the State Election Board to say you can or
6 cannot charge for some election activity. That would
7 be a question for our lawyer.

8 MR. BARTELSKI: The legislator has not --

9 VICE CHAIR JOHNSTON: Our legal counsel.

10 MR. BARTELSKI: It's not in the laws I've
11 studied -- I'm not a lawyer, but I have studied them
12 backwards and forwards. There's nothing in the law
13 either way, to be honest. So therefore, I feel --
14 again, because your remit is -- one of your remits is
15 to ensure uniformity, you have a certain amount of --
16 of say in the matter.

17 If the legislator disagrees with that, then
18 they could put it into the law. But I think initially,
19 it would be -- there would be nothing wrong with you
20 saying the law doesn't tell us. So we will say, for
21 uniformity, we're going to say, and then I hope the
22 decision will be no cost to challenges.

23 CHAIR FERVIER: Yeah. I would -- I would like
24 to ask -- and they can't provide it today, obviously.
25 I'd like to ask the AG for an opinion on our ability to

1 do that. We have, in the past, had several rules
2 proposed to us to eliminate fees, and we couldn't do
3 that because it was a statute issue.

4 But I think this one is worth asking a
5 question on since it's not addressed. And I just look
6 at the 229, 230, it's not addressed in there anywhere.
7 So I think it's a good question for us to ask.

8 MS. KING: Yeah. This is a different scenario
9 than in the past.

10 CHAIR FERVIER: Yeah.

11 MS. KING: So I mean, I -- I will propose that
12 we initiate rule-making and have that question be
13 brought -- that question answered throughout the
14 process. So when we come back, if there's -- if the
15 legislature says we can't do it, or the AG has an
16 opinion, then they can issue that during the
17 rule-making process.

18 CHAIR FERVIER: Any comments?

19 MS. GHAZAL: Only a question whether --
20 whether the 30-day period would be sufficient for you
21 to undertake this analysis, given whatever else your
22 workload is.

23 MS. KING: I think it will be.

24 MS. GHAZAL: Okay.

25 MS. KING: We'll work on that.

1 CHAIR FERVIER: Any other questions? Chair
2 will enter in the motion.

3 MS. KING: I make a motion that we approve --

4 CHAIR FERVIER: That we initiate.

5 MS. KING: I'm sorry, we initiate rule-making
6 procedures.

7 VICE CHAIR JOHNSTON: Second.

8 CHAIR FERVIER: We have a motion to initiate
9 rule-making procedures on this rule. Is there a
10 second?

11 VICE CHAIR JOHNSTON: Second.

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

16 (Ayes were heard.)

17 CHAIR FERVIER: Any opposition? How do you
18 vote?

19 MS. GHAZAL: I -- I haven't decide -- I am
20 going to abstain here.

21 CHAIR FERVIER: Abstain. Vote carries three
22 to zero to initiate rule-making procedures.

23 MR. BARTELSKI: Thank you.

24 MS. KING: I do know that this -- like I said,
25 this issue came up a while back. I believe Ms. Frazier

1 had some questions about that a while back, too. And
2 the -- I did speak with some legislatures about that,
3 legislators, and just wasn't much movement.

4 And so I'm hoping that we do have the
5 authority to -- at least to provide some type of
6 reprieve for our citizens when it comes to this aspect
7 of it. However, I am still pushing to get all fees
8 removed because I do think it disenfranchises voters
9 heavily.

10 CHAIR FERVIER: Beth, do you need to email to
11 me, or we're just going to do it [inaudible 05:16:54].

12 MS. YOUNG: We'll -- we'll take it.

13 CHAIR FERVIER: You got it? Good. Thank you.
14 Next item on the agenda is we are going to have a
15 presentation, but it's not a voter roll research tool.
16 It's a presentation by John Richards. Is John Richards
17 here?

18 Mr. Richards? If you fall, you can't sue the
19 board.

20 MR. RICHARDS: I should have taken the lift,
21 you know. It was --

22 CHAIR FERVIER: Yeah, we're -- we're closed
23 for lawsuits.

24 MR. RICHARDS: I am going to need to set up
25 down here.

1 CHAIR FERVIER: How long is your presentation,
2 Mr. Richards?

3 MR. RICHARDS: How long would you like it to
4 be?

5 CHAIR FERVIER: Three minutes.

6 MR. RICHARDS: I think it's eight to nine.

7 CHAIR FERVIER: Okay.

8 MR. RICHARDS: All right. I did bring some
9 adapters also. Came prepared.

10 VICE CHAIR JOHNSTON: Will it -- will it take
11 a minute?

12 MR. RICHARDS: I can go ahead and start.

13 VICE CHAIR JOHNSTON: All right. Or we can
14 take care of another bit of business, perhaps.

15 MR. RICHARDS: Well, I can go ahead, and while
16 I get this ready, we can get the TVs turned on. I can
17 get a little bit of discussion intro. So, Mr. Chair,
18 members of the board, thank you for having me.

19 My name is John Richards. I am president and
20 CEO of Sephos [phonetic]. It is a voting roster and
21 list maintenance tool. I'll be speaking a bit about
22 what we do and what we can do for Georgia. While I get
23 this set up, I'd love for us to take a moment to think
24 back to what we were discussing earlier this morning,
25 in that we were discussing someone who was in Georgia,

1 moved to Washington, and moved back to Georgia.

2 And I don't think this is a major issue if we
3 had a very robust this maintenance process because we
4 would have seen them move to Washington, allowed them
5 to be removed or put on inactive in Georgia, working in
6 Washington, registered in Washington. And then when
7 they moved back to Georgia, they could have either
8 reactivated or re-registered, and we would have had an
9 accurate timeline, and there wouldn't have been the
10 discussion we had this morning.

11 We would have known what happened, and it
12 would have been reflected in each of those steps if we
13 were exchanging data correctly and efficiently and
14 timely with Washington for their moves and
15 registrations. Maybe some assistance. I'm ready to
16 go. I clicked, yes. I don't see anything on.

17 CHAIR FERVIER: Can you see that it is turned
18 on?

19 MR. RICHARDS: I unplugged it. No worries. I
20 think, you know, on the top.

21 CHAIR FERVIER: We see it.

22 MR. RICHARDS: Oh, you can see it?

23 CHAIR FERVIER: Yeah. We see it.

24 MR. RICHARDS: That's all right. I'm going to
25 present to them. All right. Sorry. Is that?

1 MS. KING: It's down here.

2 MR. RICHARDS: Excellent. Can I get a quick
3 nod if you see --

4 VICE CHAIR JOHNSTON: Yeah, we see it.

5 MR. RICHARDS: Excellent.

6 CHAIR FERVIER: We have -- we have screens
7 down here.

8 MR. RICHARDS: I love it. I can see it. You
9 can see it.

10 CHAIR FERVIER: This is high tech here.

11 MR. RICHARDS: So the organization, the
12 company I own and operate is called Sephos. We --
13 Sephos delivers a powerful ready to deploy solution
14 that enhances data accuracy, streamlines state-to-state
15 data sharing, and supports seamless voting list
16 maintenance. Our industry leading data validation,
17 rigorous audit practices, and legislatively compliant
18 automation operate behind military-grade cybersecurity,
19 ensuring the highest level of trust and protection.

20 We empower states to meet their unique
21 legislative requirements with precision and confidence.
22 We all know there's a landscape that states are
23 struggling across the board, and it's not a specific
24 problem. There's needs on time, money, personnel, and
25 technology across the landscape that really demands

1 more of what we're able to give at this current moment,
2 and we see diminishing returns because of those
3 limitations.

4 Blake Evans outlined in his blue-ribbon
5 committee on election procedures that for states that
6 are not in ERIC, Georgia is taking on a bilateral data
7 sharing engagement. He says that it takes a
8 significant amount of time, and you're probably looking
9 at three or four days of a couple of personnel devoting
10 their days to that. Right now, Georgia is only engaged
11 in that method with two states, Alabama and Virginia.

12 If we think about the time, energy, and
13 resources needed to move that on to the national scale
14 of all states outside of ERIC, extrapolated for
15 increasing returns of efficiency, we wouldn't have the
16 rest of those states for another seven years, with an
17 extrapolated cost, based on the resources outlined by
18 him, of about \$525,000 a year. If you see your screen,
19 Sephos is a nodal system. We propose that Sephos be a
20 clearinghouse repository for states to be able to share
21 with those states that they would like to have a
22 bilateral relationship with.

23 We reduce the complexity and burden and cost
24 of managing multiple state-to-state data sharing
25 agreements by centralizing the voting rosters across

1 states. Our streamlined approach delivers standardized
2 reports that integrate seamlessly into the state's
3 system, ensuring efficiency and cost-effective voter
4 list maintenance.

5 VAC suggests that states that can't meet their
6 current needs explore third-party options. And
7 similarly to ERIC, producing this system for
8 ERIC-member states, yeah.

9 VICE CHAIR JOHNSTON: Perhaps, could we take a
10 five-minute break to see if audio visual will catch up
11 so people online and people in the audience could see
12 this.

13 MR. RICHARDS: Don't mind at all.

14 VICE CHAIR JOHNSTON: We -- we can see it,
15 just --

16 MR. RICHARDS: Yeah.

17 CHAIR FERVIER: Without dissent --

18 MR. RICHARDS: I will leave this right here,
19 and we'll -- would you like a five-minute break?

20 CHAIR FERVIER: Without dissent, we'll have a
21 five-minute break.

22 (A recess was taken.)

23 MR. RICHARDS: We're still good on the audio?

24 CHAIR FERVIER: Yes.

25 MR. RICHARDS: Okay. Great. So I'll go ahead

1 and skip back up to where we were real quick, speaking
2 to the -- the need of a solution for states that are
3 not in ERIC. As we all know, many states have left
4 ERIC and have no intention to return. Some states
5 never joined. On the whole, Sephos has no opinion. We
6 see a need for the Secretary of State's Office to have
7 the solution and are here to help service that.

8 On the whole -- let's go ahead and skip
9 through. On the whole, the -- as I said, the
10 recommendation is to work with a third party. One of
11 the things that's core to Sephos as an institution, as
12 a organization, is that we don't look backwards. A lot
13 of conversations in this sphere are around what we, in
14 our organization, call the F-word, or fraud.

15 We don't look backwards. We only look
16 forwards into the future, saying that we want to help
17 increase the trust in the democratic process, but also,
18 through all of the discussion that was here earlier
19 today, alleviate the burden that is incurred when
20 states have a delayed or out-of-date voting roster.

21 One of the things that I think is important to
22 discuss is Blake, Blake Evans, director of elections,
23 said, what we are doing right now for those states, if
24 they are not in ERIC and we have not done the
25 state-to-state exchange with them, we're relying on DDS

1 data and NCOA data to track those moves. So that's all
2 we're doing with states that are not in ERIC or are not
3 in our two-state bilateral alignment.

4 One of the things that I would like to say is
5 Sephos, right now, it is not the only thing we retain,
6 but we retain the public copies of 44 states plus DC's
7 voting rosters. So having that availability, having
8 that access, having that engagement, is an added level
9 of analysis that we can offer or help support the
10 Secretary of State's Office to do, which is exactly
11 what Blake wants to do.

12 In his own words, what my preference is, is
13 just to have as many data sources as possible, to get
14 as much of that data as possible. It's a
15 belt-suspenders approach. Use the sources that you can
16 to get as much data as you can. So in terms of having
17 ERIC as a practice, we also have parity with ERIC in
18 many areas. We can look here and see as far as what we
19 take inbound and what we produce across the board.

20 We still do your NCOA. We actually use the
21 same provider as ERIC, so you're getting the exact same
22 information back. So you're getting parity in those
23 out-of-ERIC states. We go a step beyond that to look
24 at caps for mailing addresses. We look at obituaries
25 and obituary legal records for deceased.

1 We go through a whole list here. In order to
2 keep my eight-minute promise, I'm not going to go
3 through them. But what I will say is what we do is we
4 allow the Secretary of State's Office to tier their
5 reports. And So the secondary aspect of what we do is
6 we produce reports on the data that we already have.

7 So when we enter into a contract with State,
8 and we enter into a contract with Georgia, that's
9 information shared out to us. We share it with the
10 states that you have a relationship with. It comes
11 back to you already set up in all of your fields. So
12 you don't have to have a data analyst transform all of
13 that.

14 You don't have to have a data analyst go
15 through and make sure that you're matching your field
16 type, that your county name is county name in another
17 state, which often there's county name, county code,
18 six, seven other things. It takes a while, and you
19 have to do that. So we go ahead and do that for them.

20 In all of our reports, we also offer tiers,
21 and I'm going to go into tiers in a second. And we
22 like to think of those as confidence intervals. Tier 1
23 gets action. We say, yeah, we're going to do something
24 with that. We're going to do something with that at
25 the Secretary of State's Office.

1 Tier 2 may require a little bit more manual
2 investigation. We're going to go look at that. We're
3 going to go investigate that. We need two or three
4 more points of confirmation before we make any decision
5 of that. But that's a separate list, but you still
6 have that to be actionable. It's shortlisted for
7 action.

8 Tier 3 and 4, perhaps it is, I'm going to send
9 that down to my counties. This is a county topic. We
10 want -- in these particular cases, we want them to look
11 at it and take action. And having done extensive
12 conversations with counties, we hear a need from
13 counties to hear direction from their Secretary of
14 States with attached lists to say, hey, I see this list
15 of 700 people in your county. If you can confirm X, do
16 Y. That is an actionable, time-bound, reasonable
17 assessment for the Secretary of State's Office to be
18 able to pass down to the counties.

19 So we're going to look at a couple of these
20 reports in a second, the rubrics we produced, but we do
21 reports on data validation, incomplete registration,
22 CAS, NCOA, PCOA, multi-state registration, in-state
23 duplicates, mortuary matches, and roster analytics. We
24 do not touch felon, citizen, or judicial incompetence
25 at this point, but we do have the analytics and the

1 rubrics set up to do those, should we be granted access
2 to those lists.

3 So the first super easy one, we set up a
4 roster. I used to teach some. I like to think of it
5 as a grading rubric. You go through and you say, for
6 all of these elements that come in within the rubric on
7 data validation, what -- how do you want to tier these
8 out? And the Secretary of State's Office could say,
9 none of them, do not present these to me, I don't want
10 to see it. Or they can say, I want all three of these
11 in Tier 1, and we present these results back to the
12 Secretary of States.

13 Sephos has no controlling power, just like
14 ERIC has no controlling power. We are purely a
15 resource to help reduce the need of data analysts at
16 the Secretary of State level. It's the economies of
17 scale. If we can do this and offer this to multiple
18 states, then it costs so much less to you as a single
19 state when you need the same thing across the nation.

20 So it really is economies of scale exercise,
21 and we believe that we've really serviced the needs.
22 We also have gone all the way through, and today, we
23 have an appendix that goes with each of our roster --
24 excuse me, each of our rubrics. To say, this is what
25 this means, this is what the NCOA code is coming back

1 as. Here's the extrapolation from the USPS of what
2 that code means.

3 We give you a data dictionary for everything
4 you're dealing with and how to interpret it, and where
5 you can look that up within the original data sets.
6 Sephos produces no data of its own. We ingest data and
7 use it as directed by the states.

8 So we look at things, and these are super
9 simple ones because we're in the date of validation
10 report, but date of birth of 01-01-1900. Someone
11 opened an Excel file, it defaulted, it got uploaded.
12 We see this. We see ZIP codes that aren't in the
13 state. We see registration dates that are null. We
14 see voter suffixes that are incorrect. These aren't
15 suffixes.

16 And I know these seem trivial, but when you
17 then go to match in the future, if one of the records
18 has an incorrect suffix, you will never be able to
19 match it again if your state requires every field to be
20 matched. So if this has gotten in and there's no
21 letter sent out, this is how this lives, independent,
22 isolated, unable to be found again. So we look for a
23 whole slew of things across the board.

24 We also look for 1800, as an easy default. We
25 do a mortuary match for anyone over the maximum

1 verified age. We also do multi-state registration. We
2 do first, middle, last, and full date of birth. And
3 NCOA barcode match, my personal recommendation with
4 what we have right now is that if it's a barcode match,
5 the state look into it.

6 At a multi-state level, a first, middle, and
7 last name, full date of birth, is not a sufficient
8 match to be Tier 1. That is a Tier 2, Tier 3, further
9 investigation. If we were given access to Georgia's
10 bilateral relationships, and we were able to do last
11 four of Social, then you have a Tier 1 match, and
12 you're able to look at these across the rest of the
13 nation.

14 So with that in mind, we go into, you know,
15 the appendix of what we look at in all of these areas.
16 We do in-state duplicates, which have a higher
17 confidence interval if you find a match within that
18 space. We find some crazy duplicates, which are first,
19 middle, last name, month, date, year, and address
20 match. Those are all dummy data, so don't offense.

21 Actually, I'm going to skip through several of
22 those because in the presentation cycle, that data
23 isn't redacted like it is on my laptop, and I don't
24 want to do that to even hypothetical voters. So we'll
25 skip that one. I can show you, it's redacted on my

1 screen, just not when it's in presentation, though. So
2 we'll skip through that.

3 We also do mortuary matches. We do maximum
4 verified age at the national level. We do maximum
5 verified age within the states. We ingest obituary
6 reports that have -- can be found within the counties.
7 I know some states, Georgia, requires a periodical to
8 be posted for that obituary to be accepted, and that's
9 fine.

10 This is a direction, a short list, an
11 effective direction of county resources to say, this is
12 a pretty strong confidence that we should go look for
13 this. We should use our resources effectively to go do
14 something about this. We can also ingest the state
15 master desk file if we do end up engaging with the
16 Secretary of State's Office to produce the same parody
17 that you receive currently from ERIC.

18 We also do some interesting things with the
19 traditional analytics style. My background is in
20 multi-dimensional data modeling and forecasting. So
21 something very simple that I've talked to several other
22 states about and wasn't something that they really
23 normally came up to is, I'm going to match on first,
24 middle, last name, birthday, birth month, and address,
25 but I'm going to put the delta between birth year. If

1 it's less than ten, show it to me.

2 That's not someone who has a different suffix.
3 That's someone whose information was entered
4 incorrectly one year off. And there's not another
5 person with that exact same name. I'm not saying that
6 it's a Tier 1, but it's definitely a Tier 3 to go look
7 at. No one's having children at 10 years old and not
8 giving them a suffix.

9 We also do some directional reporting. We
10 give states dashboards so that they can say -- we can
11 say, hey, these are your four states that you
12 definitely need to go set up a bilateral relationship
13 with. Let's get those Tier 1s because this is where
14 your highest volume is. Let's go look at it. Let's go
15 build that relationship. Let's get this set up and get
16 you going. So we give them some directional insights.

17 And overall, personally, and I hope I've
18 convinced you, coming right up on my mark, is that
19 Sephos exists to help reduce the administrative burden
20 and increase the accuracy and efficiency with which
21 election administration information is collected,
22 maintained at all levels of government. So reducing
23 that time, reducing that personnel need, reducing that
24 cost, as we talked about earlier, to the list, and
25 increasing the technology engagement.

1 There you are. Close to time. Sorry, I went
2 a little bit.

3 MS. KING: Is your title associated with,
4 like, the ancient form of --

5 MR. RICHARDS: Yeah. It's the Greek word.

6 MS. KING: -- voting with the pebbles.

7 MR. RICHARDS: Yeah. Sephos is a term for a
8 Greek river stone that's been rubbed round, and it's
9 what the Greeks used to drop into a vessel. One person
10 got a stone, you dropped your vessel, you voted. It
11 then became the Greek noun of a boat, so it transformed
12 over time.

13 MS. KING: Yeah.

14 MR. RICHARDS: That's what the logo is also.

15 MS. KING: Yeah. I know that's what tipped me
16 off, the logo.

17 MR. RICHARDS: I'm glad it worked. I'm happy
18 to take a couple of questions. I know we've had a long
19 day. Happy to follow up later. I would love to, if
20 Blake is coming to the next meeting, be invited back to
21 that as well.

22 CHAIR FERVIER: Thank you very much.

23 MR. RICHARDS: Thank you.

24 CHAIR FERVIER: Any questions?

25 VICE CHAIR JOHNSTON: Do you -- do you have a

1 cost structure prepared?

2 MR. RICHARDS: Yeah, absolutely. Because I
3 can't set a number because the State has to be able to
4 say it is fair market value. I would love to be able
5 to give it to you because I believe this is an
6 important cause for the increasing trust in democratic
7 processes. What we've said is to produce the parity of
8 ERIC, we will mirror ERIC's cost structure.

9 So this year, for Georgia, about \$107,000 with
10 a similar setup period at the beginning, same with
11 their contract, to help you get the rest of the states
12 on board with the additional reporting or analysis
13 being on par with one or two data analysts, depending
14 on what your office evaluates, we would be able to help
15 supplement the need of.

16 VICE CHAIR JOHNSTON: Do you anticipate having
17 all 50 states?

18 MR. RICHARDS: I --

19 VICE CHAIR JOHNSTON: Or Sephos.

20 MR. RICHARDS: Sephos has no opinion on
21 whether or not states choose to leave or stay in ERIC.
22 We would love to and do someday anticipate that we will
23 be able to at least house all 50 states plus DC within
24 Sephos. And I think, you know, more tools in the space
25 are excellent.

1 Just because something is a legacy tool does
2 not mean it is the best tool for the time in need. But
3 if a tool is not servicing the full need, then it
4 definitely considers -- necessitates considering
5 additional, if not other options.

6 VICE CHAIR JOHNSTON: Have you done any
7 comparisons of your -- your product output compared to
8 what ERIC puts out? ERIC -- I have not seen an ERIC
9 report because they claim they are proprietary.

10 MR. RICHARDS: Right.

11 VICE CHAIR JOHNSTON: But --

12 MR. RICHARDS: I don't have any higher
13 clearance than you do.

14 VICE CHAIR JOHNSTON: Okay. Would your
15 reports be public?

16 MR. RICHARDS: Our -- we would take our
17 direction from the Secretary of State's Office. If
18 they would like to include public -- publishing
19 publicly that information, we have some within our team
20 that is very robust at Tableau. We can anonymize it
21 and summarize it.

22 And actually, whether that's a tool for the
23 counties to see their own scorecard or if they want to
24 be fully transparent with the public, we are here to
25 serve the needs of the Secretaries of State the

1 Secretary of State's Office, and we will take our
2 direction from them there.

3 VICE CHAIR JOHNSTON: Would you sell your data
4 to other agencies or entities?

5 MR. RICHARDS: Of course, personally, I would
6 not. And as an organization, it would be in our
7 contract that we would not be doing that.

8 Do you have a question?

9 MS. GHAZAL: I have several.

10 MR. RICHARDS: Yeah, absolutely.

11 MS. GHAZAL: Do any states currently
12 participate in this process?

13 MR. RICHARDS: They do not. We've had only a
14 few. We spent three years developing our technology,
15 and so we are in the, I won't say initial stages, I'll
16 say early stages of going out and having these
17 discussions with states.

18 We've had quite a few discussions with
19 counties to understand the needs and their practices,
20 and the counties have had a strong hunger and desire to
21 see the Secretary of State to pick it up. But of
22 course, that's not within their purview.

23 MS. GHAZAL: PII. Do you -- do you have PII?
24 Have you -- has any -- have any entities shared PII
25 with you?

1 MR. RICHARDS: No entities have shared PII
2 with us. We are -- have a robust data practice and
3 data security, regardless of that, because we know it
4 is an amalgamation of large data sets, PII or not. So
5 we have a robust security practice in place.

6 What I can say is, if we were to engage with a
7 Secretary of State or a Secretary of State's office, we
8 would meet -- meet and match the standards that they
9 require and have in place.

10 MS. GHAZAL: What -- what are your sources of
11 data? I know you said you -- I know you have said that
12 you have publicly available --

13 MR. RICHARDS: Correct.

14 MS. GHAZAL: -- information. And -- and I
15 won't -- I won't point out that we frequently will get
16 reports and -- and complaints about potential double
17 voters based on publicly available information.

18 MR. RICHARDS: Sure.

19 MS. GHAZAL: And that is generally whittled
20 down to a fraction of the -- of the number of
21 allegations --

22 MR. RICHARDS: Sure.

23 MS. GHAZAL: -- once PII is actually (audio
24 interruption).

25 MR. RICHARDS: Right. And that's -- and

1 that's part of what I alluded to in the two different
2 sections in that, for one, I would love to have the
3 contract to help the Georgia Secretary of State's
4 Office manage and facilitate their bilateral data
5 sharing, in which case, it would be exactly what they
6 want with all of those fields matched in exactly the
7 cases that they define. The statement I cited from
8 Blake was that on the states that aren't bilateral, in
9 the states that aren't in ERIC, they're only doing DDS
10 and NCOA. So having the additional states as an
11 additional reference of data to look at is, as he said,
12 a both suspenders and belt approach.

13 MS. GHAZAL: But what is the -- what are the
14 sources of data that you come by?

15 MR. RICHARDS: It's secretary -- it's public
16 records.

17 MS. GHAZAL: Right. So is -- but it's only
18 public records. You're not -- you're not looking at
19 commercial sources of data for this particular product?

20 MR. RICHARDS: So state will be able to
21 designate, as I said, the rubric, which pieces they
22 want to ingest and which pieces they don't want to
23 ingest. That's the whole approach to the tiers. If
24 it's a commercial, we do purchase a list of affidavits
25 of death that are associated with court hearings where

1 it's either trusts or inheritance, and so there's an
2 affidavit of death associated with that.

3 We do adjust that to be able to direct states
4 and say, hey, there's a strong indication that this
5 person has passed away. We need you to either help us
6 have access to the list that you run this off of, and
7 in which case, we would ingest that master death list
8 of Georgia, or we say, this is a very strong
9 indication, send your counties to go look and say, hey,
10 these are the 30 people in your county that I would
11 strongly guess there may be an obituary out there for,
12 to the point that we want to reduce that overload on
13 the costs, the time consumption of the strained
14 resources within the county.

15 MS. GHAZAL: So what -- what sort of data
16 security do you have? I know you mentioned military
17 grade. What does that actually mean?

18 MR. RICHARDS: Yeah. So as I said, we can
19 match ERIC's security if we have -- are engaged for
20 Secretary of State's contract. If you let us know what
21 you have required ERIC to meet, we will go out and meet
22 those of our own accord. Anything else?

23 CHAIR FERVIER: Any further questions from the
24 board?

25 MS. KING: I appreciate it. I like

1 competition, so...

2 CHAIR FERVIER: Thank you very much.

3 MS. KING: Thank you.

4 MR. RICHARDS: Appreciate you-all's time.

5 Thank you, everyone for putting up with the technical
6 difficulties. Thank you-all.

7 MS. KING: Thank you.

8 VICE CHAIR JOHNSTON: John, have you presented
9 this to any other state-level agencies?

10 MR. RICHARDS: I have presented it to a couple
11 of other Secretary of State's Offices. All but one of
12 those are ongoing conversations, and one of them is
13 because they've indicated that they want to take this
14 up and manage their own bilateral relationships.

15 VICE CHAIR JOHNSTON: You'll get with me
16 afterwards. There's a chairman in the legislature that
17 would like to speak with you.

18 MR. RICHARDS: Absolutely. Again, my
19 pleasure. Thank you-all. Have a great day.

20 VICE CHAIR JOHNSTON: Thank you.

21 CHAIR FERVIER: Thank you.

22 MS. GHAZAL: Mr. Manifold?

23 MR. MILLS: John?

24 CHAIR FERVIER: No, no, Manifold.

25 MS. GHAZAL: Yeah. I wanted to -- I wanted to

1 ask Mr. Manifold, since he is here today, to give -- to
2 give a perspective on -- on the sort of work that,
3 first, I'd like to give some of the counties. Because
4 they're actually undertaking a lot of these -- these
5 maintenance activities, and they're dealing with the --
6 the reports that we get.

7 MR. RICHARDS: I mean, can I -- can I just
8 point out again that in the same fashion that you get a
9 report from ERIC and take action with it and pass it
10 down, I don't understand why the counties would have
11 more work in regard to this system and platform, given
12 what we've said.

13 MS. GHAZAL: I did not suggest that. I would
14 like to hear from the counties of whether their level
15 of -- if they have any questions, and also how what you
16 hear today compares with the ERIC system that you --
17 that you deal with. Yeah. If you don't mind.

18 CHAIR FERVIER: Just short. Yeah.

19 MR. MANIFOLD: All right. Yeah. Zach
20 Manifold, Gwinnett County election supervisor. I don't
21 really have a ton on this. I'd defer to the Secretary
22 of State on most of this. You know, as -- as I think
23 he was alluding to, you know, under in NVRA, it's all
24 got to be uniform across the state when you're doing
25 this sort of maintenance.

1 I -- I would say probably that over the last
2 six to nine months, I think we've gotten a lot better
3 quality checks from the Secretary of State's Office
4 through Jarvis. They are definitely flagging more
5 information for review for counties. So I don't know,
6 as they got into the implementation and they're now, I
7 think, about two years in, I think we are getting a lot
8 more of that.

9 So I don't know, maybe they have a vendor or
10 somebody that's doing this work that -- that's kind of
11 identifying the records now. But yeah, I think -- I
12 thought it was a good pitch. I think -- I think -- you
13 know, I get a lot of -- a lot of demos and vendors that
14 come in and show us stuff.

15 My gut is, just from a process standpoint,
16 with what I go through with Gwinnett County, with IT
17 governance and all the different steps, they're
18 probably -- the State probably has some similar data
19 vendors out there that they would have to check in,
20 hey, do we already have a state contract that we can
21 pull this sort of data from?

22 So I don't know. I don't know what's going
23 on, but I would defer to the Secretary of State, and I
24 definitely think they should go meet with them and see
25 if there's value there.

1 MS. KING: Yeah. I mean, since we're it feels
2 like we're kind of turning this into a Sephos versus
3 ERIC situation right here in front of us. I will say
4 that, you know, ERIC has had a number of years to get
5 additional states involved, and obviously, that has not
6 happened in none of the bordering states.

7 We're listening to cases, as of today, of
8 people who have moved from bordering states, and so
9 ERIC was of no use, yet we're paying them hundreds of
10 thousands of dollars. So I absolutely, as I stated
11 before, think that competition is necessary and that it
12 would be beneficial to counties if there was a
13 competitive company that is being looked at who could
14 possibly get more states involved.

15 Because, again, it's of no use if only half of
16 the 50 states or zero of the bordering states utilize
17 it.

18 MS. GHAZAL: Mr. Manifold, if you don't mind,
19 because I sometimes think that things that come out of
20 my mouth are not necessarily listened to very much.
21 But if you could just remind folks what the
22 requirements are under state law and -- and federal law
23 in terms of list maintenance.

24 MR. MANIFOLD: Yeah. I mean, like I
25 mentioned -- well, I think we talked earlier, all

1 that -- all that list maintenance under NVRA it has got
2 to be uniform across -- across the state when you're
3 doing this sort of maintenance. And, you know, I think
4 I -- there was quite a discussion this morning about
5 NVRA and different -- and different -- it's kind of
6 great for you all to hear it.

7 Because I think we, as counties, a lot of what
8 I've seen you all going through for the last six months
9 to a year is a lot of what we're going through when
10 we're having the voter challenges. It's like, well,
11 what can we do? What can't we do? What's NVRA?
12 What's state law?

13 The one thing I would point out probably from
14 this morning's discussion is -- is they did actually
15 put into state law that those two NVRA provisions about
16 change of address. I think it's 21.2, I think it's
17 232. I think it's 21.2, 232, that's the removal of
18 electors from the list.

19 And it actually goes into, I think the first
20 section is, voter has to let you know for the removal.
21 And then I think B is, if you get a change -- if you
22 get a notice from the Secretary of State or elections
23 entity in another state, and you get a copy of the
24 registration note card, you cancel them because you
25 have a copy -- you have the signature.

1 I think B2 says if it's a Secretary of State
2 or another entity -- like, we have a lot of Tennessee
3 counties over the years I've seen that send us notices.
4 We can't cancel those voters under both federal law and
5 state law because the state law, that 23 -- or 21.2,
6 232, which I think is part of SB 202, this is where
7 this was amended, it says that if you don't get that
8 registration card and that signature, even though it's
9 from another entity, literally in the other state or
10 county, we're not allowed to cancel. We have to put
11 them through that four year -- the four-year cycle of
12 confirmation notices.

13 So yeah, it's -- it's great to hear. I know
14 you all -- I know you all are kind of going through a
15 lot of the discussions we've been going through over
16 the last few years with -- with voter challenges.

17 MS. KING: I mean, there -- there are people
18 on the rolls that's been on their past four years. I
19 mean, I think it's safe.

20 MR. MANIFOLD: It's nine -- it's actually
21 nine. If you don't -- if you don't vote --

22 MS. KING: There's people that's been on the
23 rolls the past nine years.

24 MR. MANIFOLD: Yeah. I mean, if you don't
25 vote -- if you don't vote or take any action, it takes

1 five years, to go -- to start the inactive, and then it
2 takes another four years of the federal confirmation
3 process. So it can take up to nine years.

4 MS. KING: I mean, that's ridiculous. But
5 there are people that's been on the rolls for over ten
6 years that should have been taken off.

7 MR. MANIFOLD: I do think some of the 10, 11
8 year stuff is actually there was a number of lawsuits
9 that delayed confirmation processes.

10 MS. KING: So you're saying that everyone on
11 the rolls now are -- it's like --

12 MR. MANIFOLD: I don't know. You'd have to
13 talk to the Secretary of State.

14 MS. KING: I mean, they just said it was
15 500,000, they need a challenge. And, you know, so
16 clearly things are --

17 MR. MANIFOLD: I -- I do think that. I'm just
18 saying that you could have. It is the nine years.
19 There could be -- I think -- I think there was actually
20 talk about this last -- maybe the last cycle where the
21 canceled voters, that -- that nobody was removed for --
22 from inactivity. Because there was a number -- there
23 was a law change from three to five years, but then
24 there was also a lawsuit that delayed the confirmation
25 notice as one year, so that's a two-year delay. So

1 like, there is, in that 10 to 11 years --

2 MS. KING: You're talking about taking them
3 off the rolls, right? But however, this particular
4 program in the ERIC program, is supposed to identify
5 individuals that should be notified because it's a
6 possibility they need to be put through the process of
7 being removed. And so we're not -- we're not seeing
8 that happen either.

9 So it's -- even before we get to the point of
10 just removing people, getting them in the process where
11 they're in that ten-year window is --

12 MR. MANIFOLD: Well, ERIC would be --

13 MS. KING: -- is a challenge, too.

14 MR. MANIFOLD: Eric would just be a four-year
15 window because once we send out the ERIC notice, it
16 is -- you become inactive if you don't respond in that
17 four years.

18 MS. KING: Well, but Eric doesn't support
19 bordering states, so that didn't work for us or anybody
20 else. So, you know, I think the point we're making is
21 that there is a necessary need to get assistance with
22 this.

23 MR. MANIFOLD: I -- I will say, me personally,
24 I every time I meet with -- when, every year in
25 January, we go to a conference, it's a meeting with our

1 federal legislators, I'm always pushing for, hey, we
2 need improvements to NVRA, and we really do need --
3 this is not a great process.

4 MS. KING: Make your life easier.

5 MR. MANIFOLD: It needs to be better. And
6 yeah, I -- I agree with you. I think it could be
7 better. I -- I personally, I know it's -- in today's
8 modern political environment, it's gotten interesting.
9 I still think that -- I think that we really do need a
10 federal clearinghouse for voter registration data where
11 we can -- where we can pass information up and it gets
12 shared, and then all states are part of it.

13 I -- I think the EAC -- I think the EAC is a
14 wonderful entity that -- I've said that for probably a
15 decade, that, you know, ERIC was created by a bunch of
16 states that were agitated that they didn't have a
17 resource to be able to do this. And I -- I still think
18 I would love to see the EAC essentially get into this.
19 And so then we just have everybody sharing information
20 in one spot, so...

21 CHAIR FERVIER: Okay. Thank you.

22 MS. KING: Thank you, Chair. I appreciate it.

23 MR. MANIFOLD: Yep.

24 CHAIR FERVIER: Thank you. Unfortunately, I
25 have an obligation I have to be at, and I will be

1 leaving now, but I'm leaving it in the very capable
2 hands of Dr. Johnston with the hammer up here. And so
3 thank you. Thank you. Thank you. I appreciate all of
4 you-all being here today and not too many jazz hands as
5 I leave.

6 MR. MANIFOLD: Thank you-all.

7 VICE CHAIR JOHNSTON: Thank you, Chairman
8 Fervier. So a few more items on the agenda. We're in
9 new business. So we just had a discussion about the
10 accuracy and maintenance of voter rolls. And I will
11 just mention that I've been on this board for four
12 years, and it was only a few months ago that I heard
13 the first case that was referred as an ERIC-identified
14 case. That's a long time to be on the board and not
15 hear much from ERIC.

16 So the next item is Senate Bill 189. I'm not
17 sure who had that on the agenda.

18 MS. GRUBBS: It was a carryover, but it's one
19 that I'm glad that is carried over. Unless anybody
20 else has anything, I'll go ahead.

21 VICE CHAIR JOHNSTON: Go ahead.

22 MS. GRUBBS: Kind of some of the thoughts are,
23 I want to briefly address the growing misunderstanding
24 about Senate Bill 214 that passed governmental affairs
25 yesterday about the requirement to remove QR codes from

1 the ballots. A lot of people believe, including some
2 lawmakers, that delaying somehow the implementation of
3 189 delays the legal requirement to remove QR codes
4 from Georgia ballots. That's really not correct.

5 The requirement that the official votes
6 themselves be recorded in human-readable
7 voter-verifiable format has been both federal and in
8 Georgia law for years, including House Bill 316. That
9 legal obligation did not begin with Senate Bill 189,
10 and it doesn't disappear if the deadline is postponed.

11 SB 189 didn't particularly create a new
12 requirement. It provided a method in the deadline to
13 bring the State into compliance with laws that already
14 exist and were already being violated. So delaying 189
15 does not kick -- kick the can down the road. The can
16 was never on the road.

17 The legal requirement remains in place today
18 as it did before and during Senate Bill 189 and
19 changed. So we should not take comfort that this idea
20 has been deferred. It is not. Georgia remains out of
21 compliance, and the responsibility to correct that does
22 not wait for a future deadline.

23 This board should give serious consideration
24 how we communicate that reality very clearly to the
25 general assembly before the end of session. Today is

1 March 18th and signing dies on April 2nd. We are
2 running out of time. Also, in Senate Bill 214,
3 included is the requirement that the SEB conduct
4 so-called image audits.

5 We should seriously consider how to respond to
6 this request because the bill references an audit
7 process involving optical character recognition, OCR,
8 of ballot images. This should not be characterized or
9 codified as an audit. Collection outcomes cannot be
10 audited from images. Paper ballots must be the audit
11 document.

12 It does not constitute -- (coughs), excuse me.
13 An independent check on election outcomes is required
14 for meaningful audits. The 2024 OCR audit was quite
15 problematic with high cost, unreliable results,
16 misrepresentations of findings, and severe conflicts of
17 interest by the vendor. This should not be repeated
18 for future or current elections.

19 At best, such a process may serve as a
20 supplemental analytical tool. It cannot be a
21 substitute for nor should it be confused with valid
22 audit methods such as risk-limiting audits conducted on
23 voter-verified paper ballots. Embedding this concept
24 in the statute is an audit risk misleading policymakers
25 and the public about the integrity of election

1 verification processes.

2 So I really struggle -- and -- and, Ms. Young,
3 let me thank you again for being here because I really
4 appreciate the time and attention to be here and your
5 legal expertise. Because it's confounding to me, if
6 you look at 21.2-31, as far as our duties -- and again,
7 I'm the new person here. This is my third meeting.
8 And when you look at the duties of the State Election
9 Board, we -- we get into this trap of what are we here
10 for?

11 If you remember, during 2020, the State
12 Election Board made emergency rules and regulations for
13 the 2020 election. And for the majority of the
14 morning, you heard us sit here, and based on the
15 exchange with the Attorney General's Office, we send
16 cases to the Attorney General. They find the legal
17 standing, they prepare consent orders, they prepare
18 temporary orders, then they send it back to us for
19 final approval. We are adjudicating cases.

20 So when I look in the code section, under
21 Subparagraph 10, it says, "To take such other action
22 consistent with the law as the board may determine to
23 be conducive to the fair, legal, and orderly conduct of
24 primaries and elections." And the one question that I
25 just -- you know, I couldn't be at the subcommittee

1 hearing yesterday. The one question that I was just
2 itching to ask is: Can someone hack this? Can somebody
3 hack my pin?

4 Why in the world do we think that it takes a
5 machine? Why would we need a screen to press an oval,
6 to print out a ballot? Why would we need to do that
7 when we can circle with a pen, and it can be scanned,
8 and it can be audited, and we can have verifiable
9 results? I am very confused.

10 I am confused why ES&S was again at the
11 Capitol this past week demonstrating more valid
12 market -- making devices. I am confused as to why
13 after six years of wanting fair elections in Georgia,
14 anybody, any legislator would want to hear from ES&S. I
15 am confused as to why we have lobbyists walking our
16 halls talking to legislators about more voting
17 equipment.

18 Someone needs to resolve this confusion for
19 me. And because, you know, when -- when we have -- as
20 a board, we get push-back over what our authority is,
21 and you hear -- you hear us question that, like, is it
22 our authority to do X, Y, Z? It's like, well, they got
23 the legislature covered on not passing legislation,
24 that if you pull up Senate Bill 214 right now and hit
25 Control-F and put hand marked, you will not find it in

1 that legislation.

2 In talking with some people, it was said to
3 me, well, it could mean hand marked. Well, the
4 assumption is, if you're using a Ballot on Demand
5 printer, that that Ballot on Demand printer is printing
6 a hand marked paper ballot. Well, no, it's not hand
7 marked until I fill in the oval with this pen, right?

8 Anybody go to college and use scantrons? You
9 know, it's not that hard. So it's with -- this is --
10 with a lot of thought on my part, I prepared a
11 resolution for this board, and I was asked to -- you
12 know, it's long, so you-all pull up a chair and stay a
13 while. But I'm asking, I am begging for our
14 legislature to be clear about what the expectation of
15 this board is.

16 Because I've been cautioned, you know, I don't
17 want to get too riled up because we don't want the
18 legislature mad at us. And I don't want the
19 legislature mad at us. I don't want the governor mad
20 at us. I don't want anybody mad at us. What I want is
21 fair elections in Georgia. That's it. That is why I'm
22 here, because of that.

23 So I prepared this resolution. I emailed it
24 to the other board members, and I was asked about
25 making it public. But I've got to tell you that I

1 also -- you know, when we see the comments, the public
2 comments about this board and, you know, we're extreme
3 far right or we're -- we're, you know, mad at people
4 and all of that. You-all, that is the most ridiculous
5 thing I've ever heard.

6 We are doing our best to abide by Georgia law,
7 even when that law is bad. Even when that law needs to
8 be fixed. We are trying to do the right thing, and
9 that is all. And we have been -- we're not partisan up
10 here. I don't care what you get up and do public
11 comment about. I don't care what the media writes. We
12 are not behaving in a partisan way. We just want
13 what's fair and what's right.

14 So I'm going to read this resolution, Madam
15 Chair, if that's all right with you.

16 VICE CHAIR JOHNSTON: All right. Please.

17 MS. GRUBBS: "Resolution, Georgia State
18 Election Board Resolution requesting legislative
19 guidance regarding compliance with voting system laws.
20 A resolution requesting guidance from the Georgia
21 General Assembly regarding compliance with state and
22 federal law governing voting systems and the use of the
23 statutory backup balloting system in 2026.

24 Whereas the Georgia State Election Board is
25 charged with enforcing the election laws of the State

1 pursuant to OGA Sections 21.2-31 and 22.2, 33.1, and
2 whereas the county election officials and the State
3 Election Board require clear and timely guidance from
4 the general assembly regarding the administration of
5 elections and compliance with applicable election laws
6 in advance of pending elections, including the
7 statewide May primary and November 2026 general
8 elections.

9 And whereas Georgia currently conducts
10 elections using the Dominion voting system utilizing
11 Version 5.5-A software with electronic ballot-marking
12 devices which record votes using QR codes that are not
13 readable by voters. And whereas Georgia law, including
14 OCGA Sections 21.22(2), and 21.2-2(7.1), and
15 21.2379.22(6) require that votes be recorded in a
16 format that is readable by the elector.

17 And whereas federal law, including provisions
18 of the Help America Vote Act, 52 USC 210.81A, requires
19 that voters be able to verify and change, if necessary,
20 their ballot selections privately before casting their
21 votes. And whereas legislation enacted by the general
22 assembly in 2024 with SB 189 established a statutory
23 deadline of July 1st, 2026, for elimination of QR code
24 ballots to address the deficiencies in recording the
25 vote in a human-verifiable format, and legislation

1 presently under consideration may alter or delay that
2 timeline, and failure to timely deploy the required
3 software and hardware changes will result in continuing
4 QR-coded votes for in-person voters.

5 And whereas the State Election Board
6 anticipates that questions concerning legal compliance
7 with voting system laws may become increasingly urgent
8 in connection with the upcoming 2026 primary and
9 general elections. And whereas county election
10 officials require prompt, clear, and uniform guidance
11 regarding their duties to operate voting system
12 equipment in compliance with applicable longstanding
13 state and federal law, and to determine when it may be
14 impossible or impracticable to conduct an election
15 using the voting system in a manner consistent with
16 those laws.

17 And whereas OCGA section 21.2-281 establishes
18 a mandatory temporary backup method of voting when the
19 primary voting system is impossible or impracticable to
20 use, and whereas the board believes the current
21 applicable backup balloting system is handwork paper
22 ballots counted by currently owned Dominion optical
23 scanners, is to be used temporarily when voting
24 equipment cannot legally comply with law.

25 And whereas the board believes prompt

1 affirmation from the general assembly is beneficial to
2 provide further guidance to county and state officials
3 and to ensure uniform statewide administration of
4 elections in compliance with the law. And whereas the
5 president of the United States issued an executive
6 order on March 25th, 2025, requesting that the US
7 Election Assistance Commission disallow voting systems
8 that rely on QR-code ballots, and whereas the board
9 anticipates that the legal and operational issues
10 surrounding QR-code-recorded votes will continue to
11 generate significant controversy in conjunction with
12 the 2026 elections.

13 And whereas the board wishes to avoid
14 unnecessary election controversy, build public
15 confidence in elections, and provide prompt guidance
16 for county election officials in their preparations for
17 the May primary elections and June runoffs, which may
18 require prompt rule-making, as well as the prompt
19 issuance of operational and administrative guidance to
20 the counties. And whereas the board wishes to issue
21 such guidance and promulgate such temporary rules very
22 promptly in an impartial, legally sound, clear, and
23 complete manner, and believes that bipartisan election
24 legal advisors appointed by the general assembly for
25 this special project would be helpful -- a helpful

1 resource to ensure timely, skillful, and impartial
2 development of such guidance and rules.

3 And whereas the board believes that the
4 importance and urgency of this issue affecting the
5 manner of casting votes for millions of Georgia voters
6 in the upcoming May 2026 primary may require emergency
7 rule-making under the provisions of OCGA Section 50,
8 dash, 13, dash, 4B for establishment of rules for
9 elections taking place on or after July 1st, 2026.

10 Whereas the board believes that county superintendents
11 are charged with the responsibility to ensure that
12 elections are conducted in full compliance with federal
13 and state laws and have the responsibility to invoke
14 OCGA 21, dash, 2, dash, 281 if the voting equipment
15 cannot be reasonably operated in compliance with
16 applicable law, and whereas the board believes it is
17 charged with directing compliance with Georgia's
18 Election Code and is authorized to address continued
19 use of non-compliant voting equipment, including
20 offering guidance to county superintendents who may
21 require orderly equipment transition plans.

22 Now, therefore, be it resolved that the
23 Georgia State Election Board respectfully requests
24 guidance from the Georgia General Assembly by enactment
25 of legislation or adoption of a resolution regarding

1 the proper interpretation and enforcement of state law
2 governing voting systems and voter-verified ballots.
3 Be it further resolved that the board request
4 affirmation from the general assembly regarding the
5 temporary application of the provisions of OCGA 21,
6 dash, 2, dash, 281 at times when the primary
7 ballot-marking device voting system equipment cannot be
8 used in compliance with applicable state or federal
9 law, that the backup system consisting of hand marked
10 paper ballots counted by optical scanner should be
11 temporarily used in county, state, and federal
12 elections.

13 Further, be it resolved that the board
14 specifically request that no later than March 25th,
15 2026, the general assembly appoint, at its expense, a
16 team of four legal advisors for the short-term project
17 of assisting this board with prompt and legally sound
18 development of guidance and draft rules for
19 requirements for pending 2026 elections related to the
20 QR code compliance issue, and that the team consist of
21 skilled election attorneys and private practice with
22 one advisor appointed by the majority leader of the
23 senate, one appointed by the majority leader -- the
24 minority leader of the senate, one appointed by the
25 majority leader of the house, and one appointed by the

1 minority leader of the house.

2 Be it further resolved that the board
3 respectfully request that the general assembly promptly
4 appropriate funding for reimbursement to counties for
5 the purchase of on-site ballot printers, which may be
6 required for use in large counties with multiple
7 advanced voting locations with large numbers of ballot
8 styles. Be it further resolved that the board
9 respectfully request that the general assembly provide
10 such guidance as properly -- as practicable to assist
11 the State Election Board and county election officials
12 in administering the pending 2026 elections in full
13 compliance and applicable law.

14 Be it further resolved that the executive
15 director of the State Election Board shall transmit
16 this resolution to the Governor of Georgia, the
17 Lieutenant Governor, the speaker of the House of
18 Representatives, the members of the Georgia General
19 Assembly, and the Secretary of State."

20 That's all, Madam Chair.

21 VICE CHAIR JOHNSTON: Thank you, Member
22 Grubbs. I open the floor for discussion.

23 Member Ghazal?

24 MS. GHAZAL: First, I want to thank you for
25 distributing this in advance. It was refreshing to

1 actually be able to read something before being asked
2 to vote on it. I do appreciate that. I -- I find that
3 parts of this are in conflict with what the legislature
4 is currently doing.

5 And I think it is -- it is from my
6 perspective, I'm not comfortable instructing --
7 requesting the legislature to do something that's
8 contrary to what they are currently -- what they're --
9 they're currently -- the movement, the direction that
10 they're currently moving in.

11 MS. GRUBBS: But nothing that they're doing
12 right now affects the 2026 elections.

13 MS. GHAZAL: Yes, it does. I -- I disagree
14 with that legal analysis, that it doesn't affect the --

15 MS. GRUBBS: Well, I'm not an attorney, but
16 the way that -- that I read the legislation, the things
17 are not -- things are not put into effect for the 2026
18 elections.

19 MR. MILLS: Yes, '27 and '28.

20 MS. GRUBBS: It's '27 and '28.

21 MS. GHAZAL: Which but what it does is it does
22 not just -- it -- it extends the deadline for
23 disallowing QR codes, which would allow us to making it
24 current, and -- and that is the will of the legislature
25 as expressed right now. And I think that -- that

1 trying to preempt them, counter to what they were
2 currently doing, is not the proper role of the board.
3 So that's -- that's my personal opinion.

4 MS. KING: I -- I have the opposite
5 perspective. I think that the role of the board is to
6 take a stance when we believe that the -- that we're
7 not operating within the law. First and foremost,
8 while I respect our elected officials, I do not put
9 them above the law. And because they -- the law says
10 that these QR codes are supposed to be gone by July of
11 2026. Extending it past that is a conversation that
12 they're having. But as of today, that's what the law
13 says.

14 And personally, I do have an issue with
15 extending it because I feel like it sets a precedent.
16 That we can put laws in place, but if we don't like it
17 or we don't feel like we want to abide by it, then we
18 can all come together and then extend it. And then
19 what happens when this fight continues, and then here
20 we are a year later, and we're in a session again, and
21 then there are activists who say, well, we -- I don't
22 like the QR codes being removed. So then they say,
23 let's extend it again.

24 At what point do we just follow the law? So
25 whether you like it or not, the law has to be followed.

1 And I do think that the State Election Board should
2 take a stance. I do think the State Election Board
3 should send a message that says that we like the law as
4 it is, and we would like you to abide by it.

5 The fact that they wasted so much time getting
6 it done is not our problem. That's their fault. The
7 Secretary of State's Office blames the legislature.
8 The legislature blames the Secretary of State's Office.
9 If that's going to be the response, then everybody
10 needs to go, because obviously, no one's getting
11 anything done.

12 So at this point, it almost feels like we are
13 at a position where we have no choice but to send
14 something to the legislature to let them know that we
15 absolutely believe that we should follow the law.

16 VICE CHAIR JOHNSTON: Executive Director
17 Mills, do you want to add anything to the conversation?

18 MR. MILLS: As you know, I don't get to vote,
19 but of course --

20 VICE CHAIR JOHNSTON: Lucky you.

21 MR. MILLS: I do believe that when the
22 legislature passed the law to say that the QR code is
23 to be eliminated in mid-year of 2026, it might be
24 refreshing to go back and listen to those arguments
25 from the floor of the house and the floor of the

1 senate. And kind of replay those arguments for them to
2 listen again because we did -- we did not do that.
3 This board did not do that.

4 That was their decision. And that doesn't
5 mean that you have to die by -- minds can change. But
6 I think when I listened to the arguments that were
7 made, back two years ago when that was put into place,
8 it was largely based upon the fact that they felt like
9 the public had a large level of distrust in going by a
10 QR code which they could not read with the human eye.

11 And I think they had a very valid point in --
12 in doing that. And that hasn't changed to today. I
13 mean, I know there's -- there's lots of reasons as to
14 those that will defend the -- the QR code. But at the
15 end of the day, the -- the safest way is still, I think
16 the -- the pen or the pencil. That's -- that's their
17 choice to make. They put you in a box.

18 Because if -- if nothing is done by this
19 board, then this board will have to start making
20 decisions based on what counties do at the local level,
21 and that's going to be very difficult for this board.

22 MS. KING: Madam Vice Chair?

23 VICE CHAIR JOHNSTON: Yes.

24 MS. KING: May I add just one point, too, just
25 to make sure we're clear. Judge Totenberg made it very

1 clear that the QR code does not abide by our current
2 Georgia State laws. That's number one. Extending it
3 means that I am going to extend and I'm going to
4 continue not abiding by the law.

5 Whether it's the legislature, the governor,
6 the AG, whoever, it's still not abiding by the law. So
7 there is a responsibility to urge those who make laws
8 to abide by the laws they make. It's common sense.

9 MS. GRUBBS: One of the other problems is, and
10 I would like to ask you this, Ms. Ghazal, our method of
11 voting now does not comply with Cava, correct?

12 MS. GHAZAL: I would disagree with that.

13 MS. GRUBBS: You think it does comply?

14 MS. GHAZAL: I do. I do.

15 MS. GRUBBS: How does the voter verify who
16 they voted for?

17 MS. GHAZAL: They read the names that are
18 printed on there, and if there is any discrepancy that
19 is identified, it is the names that are written on
20 there that are controlling, which is how when there was
21 mis-programming in DeKalb County in the -- in the
22 commission case. It was determined that the correct
23 winner of that race was determined by what was written
24 on the ballots.

25 MS. GRUBBS: But that's like trying to catch a

1 mouse as he runs through a hole in the wall. I mean,
2 85 percent of people don't read their ballot when they
3 get done voting. The majority of people do not
4 double-check their ballot -- their ballot. And then
5 when you have the QR code, which is where the vote is
6 contained, you have to be sure and catch it.

7 And then I don't -- I don't care what anybody
8 says. I don't believe that -- 100 percent that you can
9 look and see that the ballot says, John Doe, and know
10 that John Doe was who you voted for in the QR code.

11 MS. GHAZAL: Well, but that's literally what
12 the -- what the OCR audit determined, that -- that the
13 words that were printed on the ballot matched the
14 totals that were tabulated by the -- by the codes 100
15 percent. It wasn't -- the only discrepancies -- the
16 only discrepancies in that audit were in the hand
17 marked paper ballots, because -- because different
18 scanners may or may not have picked up the amount of
19 the oval that was -- that was filled in.

20 MS. GRUBBS: That wasn't that -- that was the
21 image audit, correct? That was not actually an audit
22 of the -- the actual ballots. Is that not correct?

23 MS. GHAZAL: Correct.

24 MS. KING: Let -- let me be clear, too.
25 The -- the law says, I, as a voter, should be able to

1 look at my ballot -- before I put it in that scanner, I
2 should be able to look at it and -- and see that my
3 intent is represented accurately. But what you're
4 saying, because we saw in DeKalb County, that there
5 could be a coding error that causes the actual results
6 to not match what's on that paper. To me, the text on
7 the paper is irrelevant.

8 MR. MILLS: Yes.

9 MS. KING: Because if I'm using that, but
10 there still can be a coding error that can represent
11 something that's not my intent, then what is the point
12 of me verifying it on that if I have to go back and do
13 a whole audit to ensure that what I verified was
14 actually counted?

15 MS. GHAZAL: Because the exact same thing is
16 true for a hand marked paper ballot. A coding error
17 can have it -- can have the tabulation -- mis-tabulate,
18 and we've seen that in other states. That's why we
19 audit.

20 MS. KING: Well --

21 MS. GHAZAL: Because -- so if verifying the
22 ballot does not verify that the tabulation is going to
23 be correct necessarily, audits are there to verify that
24 the tabulators are programmed correctly. And there
25 have absolutely been instances where hand marked paper

1 ballots, a photo verifies they know exactly how they
2 chose, but it wasn't read correctly because of a
3 programming error on the tabulator.

4 MS. KING: Well, I'm not -- I'm not
5 disputing -- I'm not -- I was going to say that's --
6 that's why we mean hand counting. I'm not disputing
7 that. But what I will say is that it goes back and
8 forth, right?

9 Like, the argument against is, well, you can
10 verify because you can read the text. That's what you
11 just said. But then when I say that I don't trust that
12 because there could be discrepancies in the -- in the
13 index of the QR code, which creates a coding error,
14 then the argument is, well, that's -- we -- we know
15 that that can happen. So that's why we have different
16 auditing methods and things.

17 But so we can't use -- we can't use the
18 argument that you can verify by reading the ballot and
19 looking at the text, and then also say in the same --
20 same sentence that that is also not verifiable because
21 there could be a coding error that goes wrong, and now
22 your intent is not counted. So I -- I guess what my
23 confusion is, we're continuing to argue or debate a
24 system that, A, and I -- and I can tell you because we
25 travel around the state, majority of people are not

1 comfortable with our elections.

2 They may not feel comfortable saying it
3 publicly because if you say it publicly, you're labeled
4 an election denier, you're crazy, and you get right
5 read -- write-ups in articles. So a lot of people from
6 what I -- people have come up to me and said, I don't
7 feel comfortable telling the truth about how I really
8 feel about our elections because I get attacked. That
9 being said, I do know that there is a strong discomfort
10 when it comes to these machines, but we continue to
11 argue the support of them.

12 What I'm not understanding is why can't we go
13 to a system that is easily trainable, that is -- that
14 requires less work. Because another argument I hear
15 oftentimes is that, you know, there are elderly people
16 working in these offices and they're tired, and well,
17 you know what?

18 You know what's tiresome? Carrying these
19 heavy machines, loading them up, having these technical
20 errors that are stressing you out, because no one can
21 fix them but a technician, you got to wait on the
22 technician while the time is ticking, meaning that you
23 can possibly get a violation because we're sitting here
24 not allowing people to vote.

25 So now you have that stress on election

1 workers. And then it goes on and on and on between
2 SLOG files and coding errors and clerical errors, and,
3 like, all of this to me, is so overcomplicated.

4 So if the issue is that we want to make this
5 an easier system, we want to make it a system that's
6 easy to administer, a system that can be processed
7 correctly, then why do we keep overcomplicating the
8 process and then supporting it and -- and then saying
9 it's having negative comments when it comes to hand
10 marked paper ballots, which is a simple system. So I'm
11 just really confused.

12 MS. GHAZAL: So I -- I have never said I don't
13 like hand marked paper ballots.

14 MS. KING: Not you. Not you.

15 MS. GHAZAL: Oh. But the other reason that
16 I'm -- I am -- I want to defer to the -- to the general
17 assembly is that the general assembly was told
18 overwhelmingly by the people who actually carry out our
19 elections that we have run out of time this year.

20 MR. MILLS: No.

21 MS. KING: Well, actually, it was told by
22 GAVREO, but -- but we just heard that there are some
23 people that in GAVREO that wasn't even asked.

24 MS. GHAZAL: So the -- and I am absolutely
25 certain that there are -- there are board members and

1 possibly even election officials who disagree. But
2 overwhelmingly from them, the people who are -- have
3 been entrusted to carry out our elections have told our
4 legislators that for this year, we have run out of
5 time.

6 Now, I -- I share your -- I share your
7 frustration that the legislature has kicked the can so
8 far down so many times, and it was in their hands to
9 solve this, and they failed to solve this in a timely
10 manner. So I absolutely share that 100 percent.

11 MS. KING: The question is if they wanted to
12 solve it, personally. It almost feels like it was an
13 appeasement.

14 MS. GHAZAL: So but for this year, I just --
15 I'm going to defer to the general assembly.

16 MS. KING: Okay.

17 VICE CHAIR JOHNSTON: Thank you very much.
18 Well, that was a lively discussion.

19 Member Grubbs, may I -- may I make a
20 suggestion to consider if you would like to make a
21 motion, our -- our duty is to make recommendations to
22 the general assembly as it deems advisable, reading
23 from the code book, relative to -- to conduct and
24 administration of primaries and elections.

25 Would you consider, if you want to make a

1 motion, to make a motion that by a vote of this board,
2 that this board would recommend the removal of QR
3 codes, a simple motion, and a second -- a second motion
4 to consider that the board would recommend hand marked
5 paper ballots as a recommendation. I -- I think it's
6 beyond the authority of this board to tell them to hire
7 legal counsel -- legal advisors and appoint boards
8 and -- and do things that that we really don't have the
9 authority to tell the general assembly, the
10 legislature -- legislature what to do.

11 But we do -- we do have -- we are instructed
12 to make recommendations to the general assembly if it
13 is the will of the board.

14 MS. GRUBBS: Well, and -- and thank you for
15 bringing up that -- that part of the code section
16 because that's exactly where I was going. In my view,
17 the resolution is a vehicle to make recommendations to
18 the general assembly. It's -- it's detailed. I know
19 that.

20 But my -- my -- if you were to net it out,
21 what I would say is: Dear General Assembly, make a law
22 right now that takes Georgia to hand marked paper
23 ballots immediately, provide the funding for the
24 counties to assist in doing so. Because let's be
25 honest about this. The Secretary of State has done

1 this much to comply with Senate Bill 189. All they did
2 is say, write me a check for \$66 million.

3 We throw money around in this state like it's
4 ridiculous. It is out of control how much money. And
5 then, if you look at the SB 214 and, you know, how much
6 money it's going to take to implement that, it's in the
7 millions and millions and millions and millions of
8 dollars. We already talked about earlier, the -- the
9 bare minimum. You said -- you said it exactly.

10 The bare minimum was ten percent to have
11 available for emergency balloting. I think this is an
12 emergency in Georgia. I think a voting emergency
13 should be declared. And I'm asking -- I would be
14 asking the general assembly to declare such an
15 emergency so they can put something in place before
16 April 2nd when sine die happens.

17 VICE CHAIR JOHNSTON: I think what the
18 general -- what the general assembly does is the
19 decision of the general assembly. And I -- I can't
20 agree that it's the role of this board to tell the
21 general assembly what to do. I think recommendations
22 are part of part of what we are tasked to do.

23 And but we're -- we are not in the position.
24 We're not elected officials. We're in the positions
25 to -- in the position to simply recommend as we see

1 actions or conducts of elections that would improve
2 elections in Georgia.

3 MS. GRUBBS: So -- so are you saying that a
4 resolution would be inappropriate to submit?

5 VICE CHAIR JOHNSTON: I think the -- the
6 resolution as written is -- I would not be comfortable
7 in supporting.

8 MS. KING: But you -- would you support -- if
9 she shifted it to the recommendation, you would support
10 that?

11 VICE CHAIR JOHNSTON: I -- I believe Member
12 Ghazal and Member Grubbs and Member King and Member
13 Johnston all are in favor of hand marked paper ballots.
14 And that would be a solid 4-0 vote for -- I would
15 guess, everybody has their own vote, but I would
16 venture to say that a vote with a recommendation to
17 move as quickly as possible or as expeditiously as
18 possible to hand marked paper ballots would be in
19 order.

20 But it's really the -- this is what the
21 general assembly has done. This is their -- this is
22 where they find themselves. They're in the hearts --
23 in the -- in the difficult position, and they kicked
24 the can, too. Secretary of State has kicked the can,
25 and the general assembly has kicked the can.

1 We haven't. It's not our duty. We -- we
2 don't decide -- we don't make law. We don't decide the
3 voting system for the State of Georgia, but we can make
4 a recommendation. And I think we -- we should -- if --
5 if that is your desire, then I would I would support
6 that.

7 MS. GRUBBS: Let me ask you this. In the --
8 did Judge Totenberg say that -- that we were in or out
9 of compliance with Cava; do you remember?

10 MS. GHAZAL: We were out of compliance.

11 MS. GRUBBS: Well, if --

12 VICE CHAIR JOHNSTON: I hate to rush the --
13 the decision, but we only have a few more minutes and
14 I'd like to ask Mr. Cook to make his brief presentation
15 of -- that he demonstrated the other day about the
16 Dominion voting system. So --

17 MS. GRUBBS: Well, I make a motion then that
18 we make a recommend -- if we're not going to seriously
19 consider the resolution, then I make a motion that we
20 recommend to the general assembly that they enact
21 provisions to -- to accommodate voting by hand marked
22 paper ballot and in full compliance with SB 189.

23 I mean, I -- I'm not a lawyer, I'm not a
24 legislator, but all I can say is, sine die is on April
25 the 2nd. And we're running out of daylight, and that's

1 not my fault. That's not our fault. We've been, you
2 know, in my view, kind of shut down from doing what we
3 should be doing as a board, which is advising and
4 giving recommendations.

5 And so it would be my recommendation that
6 we -- we let them know. I mean -- I mean, they know
7 it. I mean, I feel like I repeat myself. Therefore, I
8 repeat myself.

9 MS. KING: We'll be on record.

10 MS. GRUBBS: Okay. Well, I'm happy to be on
11 record. I'm not hopeful that there will be any --

12 VICE CHAIR JOHNSTON: Do I hear a motion?

13 MS. GRUBBS: I make the motion that we
14 recommend to the general assembly to move to
15 hand-marked paper ballots as soon as practicable.
16 Which means immediately. And to be in full compliance
17 with Senate Bill 189.

18 VICE CHAIR JOHNSTON: So there's a motion to
19 move to hand-marked paper ballots as soon as
20 practical -- practicable and comply with SB 189. Is
21 there a second?

22 MS. KING: Second.

23 VICE CHAIR JOHNSTON: All in favor?

24 (Ayes were heard.)

25 MS. GHAZAL: Was it a full stop after

1 practicable? Because I don't --

2 MS. GRUBBS: I'm happy to entertain --
3 entertain.

4 MS. GHAZAL: I do not agree with -- with
5 immediately. I agree with practicable.

6 MS. GRUBBS: Can you define practicable for
7 those of us who brought a rule before to define
8 practicable and impractical?

9 MS. GHAZAL: Well, I think that's -- that's
10 the point here. That is -- that's exactly the point.
11 That's the sticking point, and that's where the
12 counties have expressed their view that it is not
13 practicable to implement statewide hand marked paper
14 ballot system, utilizing Ballot on Demand printers for
15 everybody by this November. I mean, that's --

16 MS. GRUBBS: But they're already -- that's
17 where we -- that's where it makes my brain hurt. We
18 already have printed ballots to the extent of 10
19 percent. Do we have any election directors in the
20 house?

21 Mr. Zach, would you approach the bench?

22 MR. MANIFOLD: Well, I only got 48 more hours
23 as an election official, so, you know, I'm happy to
24 answer it.

25 VICE CHAIR JOHNSTON: You're the only one I

1 would actually trust.

2 MS. GRUBBS: At this time, is it practicable
3 to have sufficient number of hand marked paper ballots
4 to vote by hand marked paper ballots for the May
5 primaries?

6 MR. MANIFOLD: Well, for May? Oh, I
7 definitely don't think there's anything that could be
8 done by May.

9 MS. GRUBBS: Okay. What about --

10 MR. MANIFOLD: Because I think -- I think they
11 start -- gosh, I think everybody signed off their -- on
12 their ballots, I think, right about now.

13 MS. GRUBBS: What about for the November 2026
14 election?

15 MR. MANIFOLD: Say the question again. Could
16 you?

17 MS. GRUBBS: Is it practical, in your opinion,
18 to have enough hand marked paper ballot stock available
19 or Ballot on Demand printers, whatever the case may be,
20 to vote by hand marked paper ballots for the November
21 2026 election?

22 MR. MANIFOLD: To have the actual stock to --
23 to be able to do it?

24 MS. GRUBBS: Either or.

25 MR. MANIFOLD: Yeah, I think to have the

1 stock, would it be workable? I -- I actually think
2 what I've -- I've had people ask me this over the last
3 few weeks, and I -- I always kind of said that I
4 thought the legislature eventually was going to come to
5 the realization that you can't run the system --
6 essentially, what Dominion sold to the State in 2020
7 was, hey, look, here's the setup we would recommend for
8 you.

9 This is a system that's, you know, 50 percent
10 advanced voting with a QR code, one-sheet ballot with
11 an image that's 8.5-by-11. I don't think anybody
12 really knows the question of if you took it -- like in
13 Gwinnett, we have 300 -- we had 300,000 people vote in
14 2024 at advanced voting.

15 If you took a one-sheet QR code ballot, and
16 now we're going to be a full-face ballot, so that's a
17 lot more ink and a lot larger image. And then you're
18 going to take it -- Gwinnett would probably -- I mean,
19 we have, like, 49 races in Gwinnett County this year,
20 so at least two sheets. Two sheets.

21 MS. GHAZAL: It's a card, right?

22 MR. MANIFOLD: Yeah, two cards. It may --
23 they both -- they may both be front and back. You may
24 actually have a four-image ballot that would be
25 8.5-by-14. I don't think -- because we're not on the

1 newer scanners and the newer vote -- because we're on
2 five-point -- I can't remember, five, whatever, 5.4,
3 and it is, like, 5.20 or something that Dominion's on
4 now.

5 I -- I really -- my biggest heartburn would
6 be, I don't think the system can handle -- could run in
7 that fashion, that kind of load of images. I think we
8 had a county, I think it was Hall County a couple of
9 weeks ago that was nice enough that they ran some
10 tests, and I think they even put it up on -- on their
11 website, some -- the difference --

12 VICE CHAIR JOHNSTON: I take that as a
13 definite I don't know.

14 MR. MANIFOLD: But I just want you to know, I
15 think -- I don't think it's about printing. I don't
16 think it's about stock. I think the question is --

17 VICE CHAIR JOHNSTON: Thank you.

18 MR. MANIFOLD: -- can the system hold it?

19 VICE CHAIR JOHNSTON: So any further
20 discussion?

21 MS. GRUBBS: As soon as practicable. There we
22 go.

23 VICE CHAIR JOHNSTON: All right. So you're
24 amending your motion to --

25 MS. GRUBBS: As soon as practicable.

1 VICE CHAIR JOHNSTON: -- recommend that use of
2 hand marked paper ballots as soon as practicable.

3 MS. GRUBBS: And to comply with Senate Bill
4 189.

5 VICE CHAIR JOHNSTON: And to comply with
6 Senate Bill 189, which Member Ghazal has --

7 MS. GHAZAL: Well, they can change it. Like,
8 I mean, the law is what the legislature says the law
9 is. So I mean, it's --

10 MS. KING: That's scary.

11 MS. GHAZAL: That's -- that's how it works.

12 MS. KING: I know. I'm with you. I'm with
13 you, and I'm like, that's scary that we can -- people
14 can make a laws and then just decide I don't want to do
15 this anymore.

16 VICE CHAIR JOHNSTON: So Member Grubbs, please
17 restate your motion.

18 MS. GRUBBS: I restate my motion to say that
19 we need to immediately recommend to the Georgia General
20 Assembly to move to hand marked paper ballots as soon
21 as practicable and to be in compliance with Senate Bill
22 189.

23 VICE CHAIR JOHNSTON: So the motion is to --
24 as -- as stated, has been seconded. Any further
25 discussion? All in favor?

1 MS. KING: Aye.

2 VICE CHAIR JOHNSTON: Aye.

3 MS. GRUBBS: I changed it just for you?

4 MS. GHAZAL: I know. I'm going to abstain.

5 I'm not going to vote against it. I will abstain

6 because Senate Bill 189 is -- is date specific. They

7 may change it, but the date specific is the summer.

8 I'm no lawyer. I am very particular about words. And

9 Senate Bill 189 said July 2026. And I don't know that

10 that's practical.

11 MS. GRUBBS: Okay. Madam Chair, I will amend
12 my motion, if that's okay.

13 VICE CHAIR JOHNSTON: You'd like to -- you're
14 withdrawing the motion and amend it?

15 MS. GRUBBS: I -- I want to withdraw my motion
16 and restate the motion.

17 VICE CHAIR JOHNSTON: Restate your motion,
18 please.

19 MS. GRUBBS: I would like to beg on bended
20 knee to the Georgia General Assembly to move to hand
21 marked paper ballots as soon as practicable, period.

22 VICE CHAIR JOHNSTON: All right. Would like
23 to recommend on -- on her knees, to move to hand marked
24 paper ballots as soon as practicable. Any further
25 discussion? No. All in favor?

1 (Ayes were heard.)

2 VICE CHAIR JOHNSTON: Motion carried. Thank
3 you. All right. The next agenda item is in -- is in
4 words. It's a new format that we're working with the
5 Secretary of State who had changed the format of our
6 investigation summaries and reports. They will be
7 amending those. But as of this moment, we have no
8 further prepared investigations to be heard next month,
9 but as soon as they amend some of those reports, I
10 think we'll have 20 or so.

11 The next item on the agenda is Chatham County.
12 It's not -- not a subpoena. There's a request to have
13 the Chatham Board of Elections at the meeting in April
14 to hear a report on a case that will be presented.

15 The next State Election Board meeting will be
16 April 15th. It will be at Dawson County Government
17 Center Courthouse, 25 Justice Way, Dawsonville,
18 Georgia, on the second floor assembly, Room 2303. And
19 thank you for arranging that.

20 And now, for the last few minutes of this
21 meeting, maybe we could motion --

22 MS. GHAZAL: Very quickly.

23 VICE CHAIR JOHNSTON: Yes.

24 MS. GHAZAL: The main meeting as currently
25 scheduled, is the day after the primary. So if we are

1 going to be asking counties to come in, that would be
2 extraordinarily difficult.

3 VICE CHAIR JOHNSTON: Thank you for that
4 information. And let's work toward another date.

5 MS. GHAZAL: Yes. I will -- let's -- and we
6 can -- I think we can follow up on email, because I --
7 I have a conflict the following week, but not the prior
8 week.

9 VICE CHAIR JOHNSTON: Okay. May meeting in
10 question.

11 MR. MILLS: Madam Chair, if I -- if I may just
12 take this -- this -- the -- the state of -- the Georgia
13 State Election Board Facebook site, Secretary of State
14 is no longer going to allow the SEB to use what they
15 called the suit -- the sine die program. And because
16 of that, if you will go to the Georgia State Election
17 Board Facebook website and put your email in there, you
18 will get direct email notifications when we have
19 meetings.

20 And I'm sorry, did I say, on Facebook, the
21 Georgia State Election Board Facebook site. And just
22 if you -- if you'll put your email there, that'll give
23 us direct notification for you. I'm sorry.

24 VICE CHAIR JOHNSTON: All right. Thank you so
25 much. The last few -- last just few minutes is

1 Mr. Mark Cook, who is traveling around the states
2 promoting the program that he has concerning hand
3 counting ballots. But he showed a presentation the
4 other day of the Dominion voting server and how easy it
5 is to access the server and change votes. I thought it
6 would behoove anybody that's watching, listening, or
7 paying attention to see the vulnerability of the -- of
8 this system as -- as he demonstrates it.

9 And while he's setting that up, I want
10 everybody to know that tomorrow is a very, very special
11 day. It's the beginning of March Madness, the NCAA
12 basketball tournament. And before we meet again, the
13 tournament will have concluded, and we will have a
14 winner, either maybe Duke, Arizona, Iowa, or Houston.

15 MR. COOK: Okay. How long do I have?

16 VICE CHAIR JOHNSTON: You've got ten minutes.

17 MR. COOK: That's going to be really quick,
18 but I can do that. And I can help you out with some of
19 the topics that you had discussed earlier as well.
20 I've got a lot of really good information for you that
21 will help you on that if you'd like, if I have time.

22 So I'll just jump right into this. I was I'm
23 Tina Peters' lead forensics, an analyst on her case,
24 and that was the case in Colorado for Dominion. So I
25 have forensically examined that system. I'm going to

1 go ahead and pull it up right here somewhere. There
2 she is. Okay. I'm just going to go pretty fast
3 because there's a lot to go over here.

4 We'll wait until we have the screen. There we
5 go. Okay. Fantastic. So the password -- I'll say
6 this: A password in Sacramento County, California, when
7 I was there looking at their Ballot on Demand laptop
8 they had sitting in the warehouse, with the warehouse
9 staff that was able to access it, and the printer right
10 below it with the blank ballot paper in -- in the
11 printer, the password was taped on the top of the
12 keyboard.

13 It was California2019, exclamation mark, was
14 the gold standard safe and secure voting system
15 password for Sacramento County. That's one problem
16 with Ballot on Demand, by the way. So this is the
17 Colorado system. So clearly, the Colorado password is
18 not California2019, exclamation point, but I can tell
19 you it really wasn't hard to figure out.

20 So the first thing I did when I got in here is
21 I noticed the start menu with standard Windows system.
22 I clicked on here. I noticed SQL Server Management
23 Studio on here. This software right here should never
24 be on a production system. It is a -- it is a piece of
25 software that will let you get into the back end of the

1 database where the votes are stored, where the
2 configuration of the election is, where all the
3 security keys for all your flash drives are.

4 Everything is in this database. You should
5 never be able to get directly into it. Everyone should
6 have to go through the Dominion software. Dominion put
7 this piece of software on the system that allows you to
8 bypass the Dominion application software and go
9 directly into the voting system database where all of
10 the goods are, essentially.

11 When this came up, you have an option to put a
12 password in, or you can click connect without putting a
13 password in. I thought, you know what, I'll just try
14 it. Obviously, it wouldn't work. And I clicked
15 connect, and it came right up, let me directly in. I
16 then clicked on -- and this is the EMS server, just so
17 you all know what this is.

18 This is the system that is -- if you have
19 tabulators connected to it, it aggregates all the votes
20 in real time. If you have tabulators out at your
21 voting sites and you're bringing flash drives in by,
22 we'll say, sneakernet, which is driving the flash
23 drives into the central tabulation, this is the system
24 that ingests all the votes. It's like the key right
25 here, and it has a whole election configuration on it.

1 And so I clicked on the databases and boom, up
2 pops all the election databases. I should not be able
3 to get into this. This is ridiculous. Any election
4 official that has access to the system could do this.
5 It's crazy. I saw the May 2020, Mesa County General.
6 It lets me right in. I clicked on tables, all the
7 tables pop right up. I can probably -- I can pull the
8 results of the election right here. Boom, start
9 procedures.

10 And this is the back end. This is not the
11 interface that is in the manual. The manual doesn't
12 even say that this is possible, yet. It just is, and
13 anyone could click on it and do this. It's absolutely
14 insane. I'll go ahead and pull up the contest results.
15 If I run this procedure here, it'll let me see what the
16 presidential contest is.

17 If I hit this right here, it's going to show
18 us the presidential contest results for Mesa County,
19 2020 general, right here. And you'll see here, Biden
20 will have -- come on, there we go. Biden, 31,000
21 votes, Trump, 56,000 votes. It's a heavy conservative
22 area. So that wasn't -- you know, that was an expected
23 result.

24 But watch this. If I go into tables here, and
25 you just go to this choice table, for instance. It's

1 just one of the things you could do. I could spend
2 hours showing you. And I clicked edit. I'm just going
3 to click edit here. I'm going to go down to the bottom
4 here. I see Biden right there has a 1. There's even a
5 Trump in here. These are all the choices on the
6 ballot.

7 And there's a Trump right there with an ID
8 number of a 2. Well, I thought, what if I just flipped
9 the numbers? Could I just flip the entire election
10 between two candidates by flipping two numbers in the
11 database? I pressed the 1 on my keyboard. I hit
12 enter. I went down here. There's Biden, 2, enter.

13 Now, let's pull the results. There you go. I
14 just flipped the whole election. Two key strokes, using
15 software that's built into our very safe, secure voting
16 system that is used for, like, 40-plus percent of our
17 votes across the entire country. This is Dominion
18 Version 5.1. Dominion Version 5.5 likely has exactly
19 the same thing. And because Dominion Version 5.13 also
20 has this, because I've examined both of those as well.

21 The software is put in there by Dominion. It
22 allows this very easily. Now, some people might say,
23 well, you have to be a computer expert to be able to do
24 that, you know, and no one would know how to do that.
25 Well, everyone knows how to put a flash drive in,

1 right?

2 So here's a flash drive. I've got it in my
3 hand. I'm just going to go ahead and plug this flash
4 drive into my computer, and then I'm not going to touch
5 my computer. I'll keep my hands up here. Everyone can
6 watch. I'm not typing this. What this flash drive is,
7 it's a special flash drive, and it pretends to be a
8 keyboard.

9 And it is going in and it's grabbing another
10 backdoor utility, a separate one, Backdoor Utility
11 Number 2, on the hard drive of the voting system. And
12 this utility also lets you go directly to the database
13 in the old DOS prompt system. And it's opening up the
14 database. It's now changing the records inside the
15 database, and I could shave certain votes. I could
16 flip elections. I could do anything at all. I could
17 rename candidates.

18 You have full access because the user that
19 no -- like, the election staff has full permissions in
20 the database, which they should never have. And now
21 I'm going to pull the result of the election. I'll run
22 the report again and look at that. It flipped back,
23 Biden 31,000, Trump 56, just by plugging a flash drive
24 in.

25 The problem here is that our election

1 officials don't have a clue about this. They're not
2 cybersecurity experts. They defer to everyone above
3 them telling them they're safe and secure. This went
4 through testing. This system has gone through testing
5 over and over and over again. Multiple testing labs
6 have seen this and all checked it off, didn't find the
7 problem.

8 There's a back door. It's right on the start
9 menu. That didn't take me long to find. I literally
10 showed you in a couple of minutes. I flipped an
11 election three times in front of you in the past three,
12 four minutes. And your -- and our testing labs missed
13 this? They are lying to us. The vendors are lying.

14 The testing labs are certainly not testing it.
15 They're blindly certifying it. The Secretaries of
16 State are telling us, well, it's tested and certified,
17 so it's okay to use. If there is an inside bad actor,
18 no one would know that except for someone like me that
19 looks at this system. All right. I feel bad for our
20 election officials.

21 I think most of our election officials are
22 good people. I really do. Not everywhere, but most
23 places. And they don't have a clue about this.
24 They're put in a position where they're conduct an
25 election, and they don't even understand the complexity

1 of the system. And how -- however can they conduct an
2 election that's accurate, that they know to be accurate
3 when they have no clue that this is going on behind the
4 scenes?

5 And if any of you pick up your phone right now
6 and look at wireless networks, and you look down,
7 you're going to see a wireless network on your phone
8 right now called wireless backdoor. That is a wireless
9 network that this little special flash drive is also
10 broadcasting because it's actually a wireless access
11 point. And you could jump into this voting system
12 right now from your phone, sitting wherever you're
13 sitting in your chair, and you could pull information
14 from here, and you could change the votes.

15 MS. GHAZAL: There it is.

16 MR. MILLS: There it is.

17 MR. COOK: You'll see it. The problem is
18 people don't -- I'm not telling you the password, but
19 it's not hard to figure out. It's -- it's better than
20 Dominion's password, I'll tell you that. There -- the
21 problem is, these systems are so complex. The people
22 that are responsible for managing these systems do not
23 have the knowledge and experience necessary to protect
24 these systems from adverse threats. And there are
25 threats in these systems that people don't understand.

1 It is so irresponsible.

2 We absolutely have an elections national state
3 emergency, and that's why I'm passionately driving from
4 county to county, state to state, to bring this
5 information to people. And it gets worse than this. I
6 could spend an hour or two with you guys. I would love
7 to do that, to show you everything else that I have
8 seen and that I know and that I have evidence for. I
9 could go on for hours.

10 VICE CHAIR JOHNSTON: Thank you so much.

11 MR. COOK: Yeah. Thank you. I appreciate it.
12 I appreciate it.

13 VICE CHAIR JOHNSTON: Thank you. Our time is
14 running out, and is there any further business?

15 MS. GRUBBS: I'd just like to say thank you,
16 City of Marietta. I love you and you-all are the best.

17 VICE CHAIR JOHNSTON: Thank you very much. Do
18 I have -- is there a motion to adjourn?

19 MS. KING: Second.

20 MS. GRUBBS: Second.

21 VICE CHAIR JOHNSTON: All in favor?

22 (Ayes were heard.)

23 VICE CHAIR JOHNSTON: Motion carried. Meeting
24 adjourned.

25 (End of audio recording.)

CERTIFICATE OF REPORTER

I, Nyla Morris , a Digital Reporter
within and for the State of Georgia, do hereby
certify:

That the said testimony was accurately
captured with annotations by me during the proceeding.

I further certify that I am not related to
any of the parties to this action by blood or marriage
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IN WITNESS THEREOF, I have hereunto set my
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Demetricka Clark

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