

In the Matter Of:
GEORGIA STATE ELECTION BOARD

SPECIAL CALLED ELECTION BOARD MEETING

May 14, 2026



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GEORGIA STATE ELECTION BOARD

STATE OF GEORGIA

SPECIAL CALLED ELECTION BOARD MEETING

May 14th, 2026.

PRESIDING OFFICER: VICE CHAIRMAN DR JANICE JOHNSTON

ON THE RECORD LLC.

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APPEARANCES.

Member Salleigh Grubbs
Member Sara Ghazal
Member Janelle King
Executive Director:B James Mills.

Transcript Legend.

... (ELLIPSIS)TRAILING OFF
-- (DASHES)INTERRUPTION
(PH)SPELLED PHONETICALLY
(SIC)IN ITS ORIGINAL FORM

1 P R O C E E D I N G S

2 JANICE JOHNSTON: Good afternoon. Calling the
3 meeting to order for the State Election Board on May
4 14th, 2026, for a special called meeting. We have
5 several agenda items today, but first I'd like to
6 ask member Janelle King to lead with an invocation.

7 Janelle king: All right, everyone, thank you
8 so much, God, for this opportunity Thank you for
9 allowing us to meet, to come together, to do the
10 work of the people, which is your work, which is
11 what you desire for us. We thank you, Lord, and we
12 ask, God, that you give us the wisdom, give us the
13 leadership, the guidance to make the right
14 decisions, to do the right thing. We thank you,
15 God, for all the information that has been presented
16 before us and that will be presented. And Lord, we
17 just ask, God, that you just continue to be in the
18 midst, continue to help lead us and guide us. In
19 your name, Jesus, we pray. Amen.

20 JANICE JOHNSTON: Amen. Thank you. And now
21 for Pledge of Allegiance. We have a flag here that
22 you can see in the background, in my background, if
23 you'd like. And could we all stand? And Member
24 Grubbs, would you lead us in the Pledge of
25 Allegiance, please? Sure.

1 SALLEIGH GRUBBS: I pledge allegiance to the
2 flag of the United States of America And the
3 Republic for which it stands, one nation under God,
4 indivisible, with liberty and justice for all.

5 Janice Johnston: Thank you. Glad to see all
6 of you here. Just a reminder for the next meeting
7 on June 3rd and 4th, it will be held-- the State
8 Election Board meeting will be held at Lanier
9 Technical College at the Forsyth Conference Center.
10 That's in Cumming, Georgia, and it will be June 3rd
11 and 4th. Now on to the first item on the agenda,
12 reports. A report by our Executive Director James
13 Mills. James, mic is yours.

14 JAMES MILLS: Thank you, Madam Chair. I want
15 to thank the board for allowing me to to take a
16 little bit of your time. I won't take up much, but
17 I do have a couple of important issues. I would
18 like to ask the board-- I don't have to do this, but
19 I want to do it because in full transparency, I just
20 think it's a good thing to do. This board has
21 graciously given me the authority to hire and employ
22 the people needed to run the agency. And we have
23 been blessed with a great group of employees, but
24 we've reached a level now to where I believe we need
25 a deputy director, and I don't think we have to

1 leave the office to find one. I would like to ask
2 this board to give a vote of support for the
3 recommendation that I'm going to make today, and
4 that is that I'd like to recommend that Hope Cohen
5 become the Deputy Director of the Georgia State
6 Election Board Agency. Those of you that know Hope
7 Cohen and you've seen her work, you've seen that how
8 Hope has helped us in every facet continue to
9 develop this agency. It's my own fault. I'm not
10 being critical or judging anyone. But I've been
11 here almost a year. I've not been on a vacation.
12 I've not taken days off other than state holidays.
13 And knowing that I'd have a deputy director who
14 could handle things while I'm away, there's nobody
15 better suited to do that than Hope Cohen. And Hope
16 could do it. I've spoken with her about it and
17 she's up for the task. I'd like to just ask the
18 board if you would consider taken a formal position
19 to endorse this decision. I guess that would
20 require, if you agree, that would require you know,
21 somebody to make a motion that we move Hope into the
22 position of Deputy Director for the Georgia State
23 Election Board officially.

24 JANELLE KING: I don't have any issues with
25 doing that. Oh, I'm not sure, can you hear me?

1 JAMES MILLS: We can't hear you, Janelle.

2 JANELLE KING: Oh, I'm sorry, is this better?

3 JAMES MILLS: Yes.

4 JANELLE KING: I'll speak louder. No, I was
5 saying I don't have any issues with making that
6 motion. I'm so grateful to have Hope. I've seen
7 her work very closely with you and with this board,
8 and I think she'll be an excellent rep. She's an
9 excellent recommendation. So I support that by
10 making the motion that we support our Executive
11 Director James Mills in his decision to move Hope
12 Cohen into the Deputy Executive Director role.

13 SALLEIGH GRUBBS: And I happily second that
14 motion. I love Hope. I think she's done an
15 excellent job. She's always very well prepared, and
16 she's shown that she will definitely work over and
17 above what's required to get us what we need. So I
18 wholeheartedly support that.

19 JANICE JOHNSTON: Well, thank you, Member King
20 and Member Grubbs, for that motion and second. Is
21 there any-- the motion is to approve the appointment
22 and promotion of Mahogany Cohen as Deputy Executive
23 Director for the State Election Board. Is there any
24 discussion? Hearing no discussion, all in favor say
25 aye.

1 SALLEIGH GRUBBS: Aye.

2 JANELLE KING: Aye.

3 JANICE JOHNSTON: All opposed? None. Passed
4 unanimously. Hope Cohen will be our Deputy
5 Executive Director. Thank you. Congrats, James.
6 The next item on your agenda, please.

7 James Mills: Yes, ma'am. Thank you, Madame
8 Chair, and I thank the board for the support there.
9 This board's always been supportive, and I can't say
10 thank you enough. And Hope is going to do a great
11 job. You already know the job that she does, and
12 she's brought us forward in so many different areas.
13 So I'm excited for her. She deserves the promotion.
14 I thank you for supporting me. The next item that
15 I'd like to ask this board to consider would be to
16 ask you to consider asking me as executive director
17 to come up with a virtual license private
18 investigator's plan. It would be a statewide
19 program that I would put into place. It's-- I
20 haven't finished developing it, and that's why I
21 would like to ask the board to formally ask me to
22 develop it. At the end of every fiscal year in the
23 state, Sometimes there are surplus funds and
24 sometimes there are not. This year we're going to
25 have a little bit of surplus funds, and I would like

1 to try to encumber as many of those funds as
2 possible, and that's why I'm bringing this up now.
3 The state year ends at the end of June, and if I
4 don't encumber those funds, we lose those funds. So
5 I think it's important for the agency going forward.
6 At any time you could say to me look, I don't like
7 the direction this is going using the virtual
8 licensed private investigators, and, and I just feel
9 we need to stop. I would report to the board every
10 month, or every time we had a meeting, I would
11 report to you and give you an update where we are,
12 what we're doing. Is it working? Is it not
13 working? We realize this is new. These people are
14 going to have to be vetted, background checks, etc.,
15 etc. So there's still a lot of details to be worked
16 out, but I do have a plan to where we can actually
17 make investigations on complaints happen much
18 quicker than what they have been happening in the
19 past. And this is critical to, to just enforcing
20 what is right and the law and the rules. And I just
21 asked the board to consider that. It would just
22 simply be the board asking me to develop this plan
23 and move forward with it. And again, at any time
24 the board could say stop, we don't like the way this
25 is going.

1 SALLEIGH GRUBBS: I don't understand what you
2 mean by virtual investigation.

3 James Mills: It's a, it's a fair question
4 Board Member Grubbs. What I basically mean is we
5 don't have it in place right now, so we're still
6 working on it. But I'll give you an example. For
7 example, let's, let's say-- and I've broken it out,
8 I have a rough draft, but it's still under
9 development, and that's why I haven't shown it. But
10 I don't mind showing it. It would say, for example,
11 in the-- in DeKalb County, we would have one private
12 investigator that we could go to on a regular basis
13 when DeKalb County investigations came up that
14 involved a Dekalb. Gwinnett County, we would have
15 one licensed PI that we would go to. Cobb County,
16 we would have one private investigator and we would
17 agree on a per-hour contract to work through with
18 them. And I've done that for-- right now I have
19 about 10 to 11 to 12 counties that if cases were to
20 come up, then we could quickly assign it to them.
21 They would have already been vetted. It'll take a
22 while to get this in place and get these people
23 vetted. So that's why I'm calling it a virtual.

24 SALLEIGH GRUBBS: Okay, so do you have a budget
25 for that at this point?

1 James Mills: I have-- it's a guess budget
2 because I don't know how much money I'm going to
3 have, but I don't mind telling you what my guess
4 budget is. To implement something like that with
5 the 11 to 12 PIs, and again, they wouldn't be
6 employees, they would be either contract or go
7 through a vendor that is a business that has PIs,
8 and they would have to be approved by the state.
9 There would be a background check done on that
10 vendor and To answer your question, my numbers that
11 I've calculated would come up-- if everything were
12 to be in place, it would be somewhere around
13 \$250,000. Now that's you know, that, that's a lot
14 of money, but when you look at hiring investigators
15 you got to hire a full-time investigator, you got to
16 pay salary, you have to pay benefits. I mean, 2
17 employees could come close to that number by the
18 time you pay all those benefits.

19 SALLEIGH GRUBBS: So I totally get that, and I
20 understand the need to go outside and contract. My
21 only issue is right now there are some things of a
22 legal nature that I would like to that I think we
23 need to talk about, and perhaps some independent
24 legal review and input. So I would Certainly be
25 happy to look at it with a written plan put forth

1 and a firm budget. And then that also figures into-
2 - I understand that our budget has been cut by
3 \$300,000 in the final passage. So I think we need
4 to look at a budget first and where we're at on our
5 spend before we, you know, before we go out on that.
6 But I think it's a great plan. I just would like to
7 see something firmer in writing before we before we
8 head that direction and, and spend any money.

9 JAMES MILLS: I, I wouldn't be asking this
10 board to spend any money at this point. I would be
11 just asking the board to give me, you know, say,
12 hey, we, we like the idea, the concept, move forward
13 with a plan, come back to us with, with budget and
14 numbers. Right now it's kind of difficult for me
15 because I don't know what all those numbers are at
16 the moment due to-- we're right here at the end of
17 the year. I'm about to find out how many funds
18 we'll have left over, and I want to encumber as many
19 surplus funds as I can right now so that we could
20 have 26 funds that could possibly be spent in FY27,
21 which will start July 1. And I hope I'm explaining
22 that enough for you to understand what I'm saying.

23 SALLEIGH GRUBBS: I understand. I just, I
24 think we need to look at overall needs together and
25 far as, as far as where we're at for the rest of the

1 year and then where we're going to be given the the
2 news. And, you know, I'm not, I'm not playing you
3 know, victim here with the funds being cut because
4 there were funds cut across the state with a number
5 of different programs. But I just want to get a
6 better handle on where we are financially before we
7 we do encumber. I understand your point, but I
8 think we need a firm idea of what kind of money
9 we're talking about.

10 JANELLE KING: Director Mills, if we push this
11 to June, would that impact your ability to be able
12 to hold those funds for '26?

13 JAMES MILLS: I'm going to have to make a
14 decision on this probably the first part of June.
15 In order to encumber the funds without losing them.
16 Now, if you don't do it, you know, early before the
17 last month of the year, then, you know, it's not
18 always easy to get a last-minute encumbered fund in
19 place. That's why I'm trying to do it now.

20 JANELLE KING: Is it--

21 JAMES MILLS: To at least start with a plan.

22 JANELLE KING: Is it the 30th of this month? I
23 mean, when you say the first part of June, is it
24 after the 3rd, after our board meeting?

25 JAMES MILLS: I mean, technically the year goes

1 all the way through the end of June, the fiscal
2 year, but we get, we get dates sent to us from the
3 Secretary of State who encumbers the funds for us.
4 And, you know, I just don't want to wait till the
5 last week of June and then be told I'm too late.
6 I'd much rather have it in place by the 1st of June
7 and know that those funds have been encumbered.

8 JANELLE KING: You're muted, Dr. Jan.

9 JANICE JOHNSTON: Is it, James, is it a
10 question of if you don't use it, you lose it? Sort
11 of availability of those funds.

12 JAMES MILLS: That is the way the budget works
13 across the board with state agencies. If you don't
14 use the money that's allocated in your budget, then
15 the leftover goes back into the state treasury, and
16 no agency should just spend money to be spending
17 money. But in light of the fact of what Member
18 Grubbs brought up, the \$300,000 cut that we had,
19 that pushes me to try to encumber as much as I can
20 to absorb the \$300,000 cut that's going to happen
21 starting July 1.

22 SALLEIGH GRUBBS: Well, that brings up some
23 other issues as far as the data entry specialist
24 that, that I know we had talked about in that
25 position, you know, because we've-- we have got to

1 do something about having better access into the
2 cases and what the statuses are and you know, is--
3 does that take that into account? I just, I don't
4 feel like we have all the information for me to say
5 yes, go encumber funds, especially, you know, when
6 there are some legal concerns that I have that I
7 think we need to look at as well.

8 JAMES MILLS: Okay, I mean, actually, I can
9 encumber the funds without bringing this before the
10 board. I just want to do that because I want to
11 keep you up to speed on what I'm doing. When I was--
12 - when I started on June 2nd last year I was forced
13 with making these decisions and, and didn't have
14 much knowledge at all at that time. But now I've
15 learned, and, and I'm continuing to learn. But to
16 answer your question, Salleigh, can you Tell me
17 again exactly what you're looking for because I want
18 to answer it if I can.

19 SALLEIGH GRUBBS: Well, I just want to see a
20 layout of where we are in the budget, how much money
21 is left to spend, when is, when is the last time
22 that we have to spend it, and look at other
23 potential needs. I think we need a priority of
24 where we want to spend the money you know, because
25 we've got personnel that, you know, you were looking

1 at possibly hiring with the data entry person. You
2 know, we still don't have any, and I'm not saying
3 fault or anything like that, but we have, we have no
4 consistent way to keep up with what cases are open,
5 what cases have been closed, what's the status of
6 the cases, all that kind of stuff. We still have
7 the, the website, which you're on top of, I know,
8 but we still have to get that going there. How much
9 of that has been paid? I, I live and breathe by
10 budget professionally, so I have to have an idea.
11 An idea. This is all very nebulous to me. Until we
12 until we see what the obligations are and what the
13 resources are.

14 JAMES MILLS: Okay, the data entry person has
15 not been brought on board yet, but we have made a
16 decision in that position and we have the monies to
17 pay for it. They-- she would start on June 1st.
18 That is the plan right now. but she has already
19 received the offer letter and orientation has been
20 set for her to go through on June 1st.

21 JANELLE KING: Now if we-- I mean, having a
22 data entry analyst and specialist, and I agree with
23 Member Grubbs that I would like SEB to have more
24 control over the cases and whatnot, but it's kind of
25 hard to do that when we don't investigate them.

1 When the SOS is the investigator and we don't have
2 investigative power, then we can't have so much
3 control over the cases. So I do think there is a
4 need to have funding for additional investigators
5 that are SEB investigators. I agree with Member
6 Grubbs that there should be a detailed plan as far
7 as the budget goes. But I, I absolutely support you
8 going and encumbering those funds so that we can
9 have those funds available. Once you have the plan,
10 we can then vote on the plan later. But I do think
11 that we need to move forward with ensuring that we
12 have those funds recouped and held if if we can.

13 JAMES MILLS: The plan can be stopped at any
14 moment by this board. I, I just feel the urgency so
15 that we don't lose these funds. And as you point
16 out Member King, right, if we don't have
17 investigators, we can't investigate cases. And I'm
18 in the process now, and I'll go ahead and jump
19 forward with a little bit of that just so you'll
20 know. We have brought on two part-time
21 investigators. They will go through orientation on
22 Monday of next week. That doesn't mean we're going
23 to be able to keep all the cases that we want.
24 Because we only have 2 investigators coming.
25 However, we've been hard at work. We're doing that

1 within the scope of the budget that we have right
2 now, and we're solving.

3 JANELLE KING: Okay Madam Vice Chair, I'm not
4 sure if we need to make a motion on this or if we
5 should table this. I'm not sure what the next moves
6 would be. I know Member Grubbs is not prepared to
7 move forward with it, and I'm prepared to move
8 forward as long as we we know we'll have a plan when
9 it's time to implement. But I'm just thinking about
10 the funds. I just want to make sure that we have
11 the funds, but I, I will follow the lead of the
12 board.

13 JAMES MILLS: I can tell you this, we have the
14 funds under the current budget of this year. Going
15 into next year, because of the \$300,000 cut, I'm not
16 sure how much funds we're going to have.

17 JANELLE KING: Okay.

18 JAMES MILLS: I'm just gonna have to put a
19 pencil to it.

20 JANELLE KING: Okay.

21 JAMES MILLS: That's why I really want to
22 encumber as much as I can in this year's budget.

23 JANELLE KING: So do you-- you don't-- so like
24 you say, you don't need us to take a vote so that
25 you can go ahead and encumber the funds, you need us

1 to take a vote, or we-- you really don't need us to
2 take a vote, correct, when it comes to any of this?

3 JAMES MILLS: It's not needed. I just would
4 prefer to have it because it's a new concept
5 licensed private investigators investigating cases.
6 I want to make sure we do everything right, and
7 that's important for all of us.

8 JANICE JOHNSTON: So James, I think this is a a
9 really great idea to have a virtual license program
10 that we can use as, as needed depending on the
11 demand of the number of cases we have. And it-- and
12 it is-- my understanding is it provides for
13 statewide coverage of investigators to investigate
14 cases all over the state, which gives us the
15 flexibility to cover all of Georgia. Would James--
16 would you work with Ms. Grubbs as far as making sure
17 that her legal questions or her financial questions
18 are satisfactorily answered. But considering that,
19 I think it would be very positive to move forward
20 with this and begin the working through the, the
21 channels that have to be worked through to get this
22 initiated and implemented. And of course, as you
23 said, at any time we can alter this plan or program.
24 But we've, we've been yearning to-- we've been
25 wanting to have our own investigators. We've been

1 asked to use our investigators. We've felt the need
2 and certainly expressed our own opinions about
3 having our own investigators. Investigate cases and
4 improve the the output and the timeliness of hearing
5 complaints and, and cases, possible violations. So
6 I think this is a great solution for us considering
7 that all the questions would be answered.

8 JAMES MILLS: I'd be more than willing to
9 commit that if I can't answer any questions that any
10 of you may have, including sitting down with, with
11 Member Grubbs and showing you whatever questions you
12 may have. You know, I'll either find the answers
13 to, or I want you to know the answers. I don't want
14 to be withholding anything from anybody. And if,
15 you know, if you are not satisfied with those
16 answers, you could always come back to this board
17 and say, I, I can't support this going forward.

18 JANICE JOHNSTON: And we are hiring a data
19 entry specialist as of June 1st, correct?

20 JAMES MILLS: Yes, that is correct. They've,
21 they've been sent an offer letter, they've accepted,
22 the background work has been done, and they are set
23 to come and go through orientation on June 1. And
24 the only reason they couldn't start earlier is
25 because this person just happens to be involved in

1 our voting processes. And so we have an election
2 going on and they can't start right now.

3

4 JANICE JOHNSTON: And is it is it correct that
5 an offer-- offers have been sent and signed by
6 two part-time investigators?

7 JAMES MILLS: That is correct, and we
8 anticipate them coming on board officially, going
9 through orientation on Monday, and I'm excited about
10 that.

11 JANICE JOHNSTON: Great. Well, I would like to
12 make a motion to approve implementing a virtual
13 license PI program. A determined amount can be
14 encumbered by the executive director from the FY '26
15 funds as determined by the director, and the
16 director will be solely responsible for the
17 establishment of the program. Recruiting, training,
18 certifying, administering, and supporting the
19 program. And the exec-- I would ask the director to
20 provide a summary report for us, for the board,
21 every month as part of the executive director's
22 report so that we can stay apprised and abreast of
23 what is going on and how the, how the plan is
24 working. and we can schedule that to, to be a
25 report to be delivered after the minutes of each

1 board meeting.

2 JANELLE KING: I second.

3 JANICE JOHNSTON: Is there any discussion?

4 SALLEIGH GRUBBS: I just don't feel like I have

5 enough information to, to vote on something like

6 this. I just found out about it, and yes, we do

7 need investigators But until I see the budget on

8 where we're at on spending and that kind of thing,

9 this is not something that I could vote for. I'm

10 sorry.

11 JANICE JOHNSTON: Okay, is there any further

12 discussion? All in favor, say aye.

13 JANELLE KING: Aye.

14 JANICE JOHNSTON: Aye.

15 JANICE JOHNSTON: All opposed?

16 SALLEIGH GRUBBS: Nay.

17 JANICE JOHNSTON: So motion carries 2 to 1 for

18 the executive director to begin the implementation

19 of the program.

20 JAMES MILLS: I thank-- thank you very much,

21 and I commit to keep you posted all along. And

22 member Grubbs, I'll meet with you at your

23 convenience and try to answer any questions that you

24 may have. The, the last item that I have is very

25 similar to what I just said, except this would

1 involve trying to encumber some funds for data
2 specialists on cases that we have. You know, I've
3 listened to the board be presented cases many times,
4 and you have one county saying one thing about the
5 voter registration list and you have the complainant
6 saying something else and you don't know who to
7 believe because you have two separate sets of facts
8 being presented. If I could contract with or use a
9 temp service that specializes with data analysts who
10 could definitively say to the board, we've looked at
11 case number so-and-so and we agree with the facts
12 that the complainant is presenting, or with the
13 facts that the county is presenting, that would help
14 you as a board make a better informed decision. You
15 would know immediately when that case was brought
16 up, look, what they're saying is true or it's not
17 true, and then you would make your decision. So
18 what I would try to do is I would try to encumber
19 funds for a temp agency or to explore contracting
20 with data specialists that we know. I mean, they're
21 all across the state, they're all across the nation,
22 but we would just try that way. It would-- we could
23 assign a-- our investigators could say, I need for
24 this data specialist to come back and tell me, is
25 this correct or not? And then when the case was

1 presented to you as a board, you would know and you
2 could make an even better informed decision. So
3 it's the same concept, but I would be encumbering--
4 I don't have an amount for you. I can tell you that
5 what I looked at would be for a year-long process
6 would probably cost about \$50,000, but that is a
7 guess on a program that I've never done. But again,
8 we could stop it at any point. We could say this
9 is, you know, the product that we're getting is not
10 worth the money we're spending. But we've got some
11 funds that I can encumber for this, and that would
12 let me save money to spend on other items that you
13 may deem we want to do in FY27. I'm trying to
14 squeeze every dollar I can out of the '26 budget
15 because I know we got this \$300,000 cut with.
16 That's why the last minute, these last minute items
17 had come up, because I didn't know until, what, the
18 12th, the changes in the budget.

19 JANELLE KING: I guess I'm trying to understand
20 the role of the data analyst. I don't, I don't know
21 if having someone to kind of be the middleman and
22 they're not legal or, you know, have any type of
23 real standing. I don't know if that's beneficial.
24 I'm wondering though if we could take that \$50,000
25 and attach it to the the \$200,000 that you're,

1 you're wanting to encumber for the, the private
2 investigators, and that the \$50,000 can go towards
3 providing them with some type of assistant or, you
4 know, someone that can work alongside them, because
5 that's what the private investigators will be doing,
6 right, is giving us all the information we need to
7 make a decision. So I, I would support them having
8 some assistance, which could be these data analysts,
9 but I don't think they should be separate or you
10 know, just be a whole new program. I think that
11 might get a little confusing, and I don't know how
12 that's going to stand up in court.

13 JAMES MILLS: If-- let me, let me apologize. I
14 didn't explain it very well. Maybe they would work
15 with the private investigator because private
16 investigators are not going to be data specialists.
17 They might not even be experts on a voter roll. But
18 if you had a data specialist who was, it's like
19 building a house. They might not do the plumbing
20 very well, but they know how to do the framing. And
21 so, so you sub out that portion of it, and that's
22 what I'm talking about doing. They would work
23 alongside of the investigation on the case.

24 JANELLE KING: Okay.

25 JANELLE KING: Unmute.

1 JAMES MILLS: Unmute here.

2 JANICE JOHNSTON: Is this like asking for a
3 technical expert, like a computer expert, or
4 somebody with knowledge about cybersecurity, or, or
5 looking at log files in a database system?

6 James Mills: It is exactly like that. And in
7 fact, it's like a-- for lack of a better term, it's
8 almost like a police investigation. When a crime
9 occurs, a lot of times those policemen or law
10 enforcement officers are not medical doctors, but
11 they'll say, hey, I need the blood work on this.
12 And so they sub it out and they get the blood work
13 back from somebody who specializes in that area, and
14 then that helps them make a better informed
15 decision. It's the same process here that I'm
16 talking about.

17 JANICE JOHNSTON: Help me understand. If you
18 encumber some funds of the '26 budget for these
19 technical experts, I guess is what you're calling
20 them, if you don't need them, then this money is
21 just not spent. Is that correct?

22 JAMES MILLS: That's exactly right. Once you
23 encumber money for a specific item, it can't be
24 changed. But the only way you can encumber it is to
25 be specific, or else it can't be encumbered.

1 JANICE JOHNSTON: I've certainly seen plenty of
2 cases heard where I wished we had had a technical
3 expert, and there have been many cases that I've
4 asked for a technical expert to be present to answer
5 my questions. As cases were heard, and more times
6 than not, a technical expert was not available or
7 did not appear at our hearing. So I, I would very
8 much like to have the ability to call on a technical
9 expert and I would expect that they would come with
10 some credentials to, to provide solid opinions for
11 what they're being asked about.

12 JAMES MILLS: Either way, if you went through a
13 contract or if you went through a data temp contact,
14 contract service, those people have to be vetted.
15 You can't just go out and hire anybody or contract
16 with anybody. They have to have background checks.
17 They have to be cleared. All of that is done. The
18 only thing with a temp service is that it allows you
19 to not have to get into all the benefits, and the
20 temp service handles all that part of it for you.

21 JANELLE KING: So what I'm hearing is the role
22 or the responsibility of these individuals would be
23 to assist the private investigators with kind of the
24 minutiae work, the detail work, the the expert type
25 of work, whereas the private investigator may

1 discover that there's foul play or there's something
2 here that's a little off. The experts, these
3 individuals will come in and be able to detail
4 what's going on, what's happening according to the
5 state code. They-- I'm assuming they can attach a
6 code to the findings of the investigators to help
7 build out the summary.

8 JAMES MILLS: Yes, and I've seen this board be
9 presented with complaints that come in that deal
10 purely with large numbers of data. In those cases,
11 we never see them. They just don't come up. I
12 can't answer all those reasons as to why, but if you
13 had a data specialist person who emphasize with a
14 specialty in data, then they should be able to say,
15 let's say there's a question of-- I'm just making up
16 numbers, but let's say there's a question of 30,000
17 residency questions in the voting of an election.
18 Well, one individual investigator would look at that
19 probably and say, there's no way I can investigate
20 30,000 residency questions. But a data entry
21 specialist or a data specialist person could figure
22 that out to come back with, you know, this is based
23 on what I know and my knowledge. This is about a
24 95% margin of error or, or whatever. But, but they
25 would give you a much more definitive answer.

1 versus Right now you just don't get an answer.

2 SALLEIGH GRUBBS: So I hear what you're saying,
3 and there's a very big difference between a data
4 analyst and a data entry person. So we're not
5 talking about the data entry person that we were
6 just talking about. We're talking about someone
7 that strictly looks at data. Maybe if you want to
8 analyze log files, or like with the DBS order
9 problem, if you want someone to analyze something
10 like that, that's what you're talking about.

11 JAMES MILLS: Member Grubbs, that is-- I'm glad
12 you mentioned log files. That is a perfect example
13 of what I'm talking about.

14 SALLEIGH GRUBBS: Okay, and so this goes back
15 to the conversations, like for example, that we had
16 during-- I think it was a meeting when we were in
17 Barrow County and we were talking about you know,
18 Fulton County doesn't have an analyst to analyze the
19 voting data and that kind of stuff, and I guess only
20 the Secretary of State's office does, and we need to
21 get that information, that kind of thing, which I'm
22 100% behind. But again, I would need to say, you
23 know, I'm in business, and if I had an employee that
24 came to me with a plan, they would have to come with
25 a written plan, with a budget, with a specific

1 description, and that kind of thing. So I'm all
2 behind us, you know, if the money allows, but I
3 don't even know whether it would allow that or not
4 because I don't have a budget. To see where we're
5 at on our spend for the, for the annual year.
6 Today's May 14th, you know, I understand the fiscal
7 year is June 30th for the state. So for me, I'm all
8 behind us having a data analyst or being able to,
9 you know, look at data. You know, I'm not a data
10 expert. I'm not bad with data, but I don't know
11 anything about the SLOG files, and I don't know
12 anything about you know, the specifics of the
13 mechanical things that happen with data in certain
14 aspects and that kind of thing. I think there's
15 certain reasons to dig into that, but I can't make a
16 decision without something in writing in front of my
17 face with the current budget and what we have left
18 to spend. So if it's going-- if there's going to be
19 a request for a vote, know that those are the things
20 that I would need to be able to vote intelligently,
21 because as we all know, you know, bureaucracy is
22 something that I don't like. and I don't want to
23 just approve something that is-- it's a nebulous
24 amount of dollars from a nebulous budget with a
25 nebulous plan. I've got to have specifics to be

1 able to vote on that if there's going to be a vote
2 forthcoming.

3 JAMES MILLS: That's very fair, Member Grubbs.
4 I'm just asking really for a vote of the concept. I
5 didn't realize this \$300,000 cut was coming down the
6 pike until day before yesterday.

7 SALLEIGH GRUBBS: And I thought, nobody in the
8 state did. Nobody in the state did. So I get it.

9 JAMES MILLS: So, so that put me in scramble
10 mode. I had some of these ideas going forward that
11 I had hoped to incorporate in FY27 and bring before
12 y'all in a more methodical way. But when I-- when
13 the cut came, I realized, you know what, I need to
14 try to capture every dollar I can for this concept
15 And at any moment, any board vote can say no, we
16 don't want to do this, we're telling you stop. And
17 you're not voting to approve me any certain amount
18 of money today. I'm just telling you that this is
19 the direction I'd like to go, just trying to keep
20 you informed, that's all.

21 SALLEIGH GRUBBS: And that's for informational
22 purposes, that's fine. I just, I'm just telling you
23 where I'm at on it, and I want us to be able to
24 maximize all the funds for sure, but I need more
25 info to be able to to do that.

1 JANICE JOHNSTON: James, would it be reasonable
2 to ask you to notify the board over the next 6
3 months to a year if you need an expert data
4 researcher, that we would be informed of-- not that
5 we're in doing the investigation, but just informed
6 of the, the use of the money and the type of expert
7 that you're using for an investigation, such as a
8 computer expert to look at Slog files, or such as a-
9 - it's probably the Dominion question or the voting
10 system question that would come up the most, or
11 looking at large amounts of data that One would want
12 a proficient data utilizer that could run large
13 numbers with, without a lot of difficulty.

14 JAMES MILLS: If this board gets a slog file
15 complaint, and we have, it's going to show numerous
16 errors in numerous situations on particular machines
17 And I dare say no investigator doesn't have some
18 data expertise in their background is even going to
19 know how to interpret that.

20 SALLEIGH GRUBBS: Well, we already have that.

21 I understand there's a need. I'm not saying
22 that there's not. We already have multiple
23 complaints on voter roll issues and things like that
24 that are pending complaints now that need to be
25 properly investigated that have been sitting on the

1 back burner for a long time. So I get all of that,
2 but you know, I can't, being a fiscally conservative
3 person and us being-- having a fiduciary
4 responsibility to the state of Georgia, I can't
5 endorse something that I have no concept of the
6 amount or the budget and where we stand.

7 JANELLE KING: So that I'm clear, basically
8 what you're doing is you're trying to ensure that
9 our budget is the same next year even though there's
10 \$300,000 has been pulled out. That's what I'm
11 hearing that's happening right now. There's a lot
12 of things that we need to do that's gonna take up
13 that \$1 million and not having the extra \$300,000 is
14 going to-- now we'll have to pull from that \$1
15 million and we don't know what that's gonna look
16 like, you know, clearly because we're not sure as of
17 yet. So it sounds to me like you're presenting us
18 with two plans that you would like to move forward
19 on at some point. However, the, the estimation of
20 how much it will cost, there's no way of creating a
21 full budget. Like, there's no way of really
22 presenting that as of right now because the time
23 frame of learning that our budget has been cut and
24 the time frame that you have to encumber the funds
25 is, is, is kind of put you in a bind. That's what

1 I'm hearing is that basically you need us to say
2 yes, we support you positioning yourself to roll out
3 these projects at some point and we'll have the
4 funds to do it because the funds would've been
5 recouped by 2026. That's basically what you're
6 saying, right?

7 JAMES MILLS: Yes. We just squeeze every dime
8 we can out of the \$26 surplus to make it without
9 returning money back to the state treasury because
10 we got a \$300,000 cut facing us.

11 JANELLE KING: Yeah, so I 100% agree with
12 Member Grubbs that it is hard to make a decision on
13 this project not having a budget in front of us.
14 However, I'm willing to support it because I, I
15 would like us to have the funds. My concern is that
16 we are going to be shortcoming this new fiscal year
17 because of the amount that was put out. And keep in
18 mind, \$1.3 million, that wasn't-- I thought we had a
19 little bit more than that at one point. So we even
20 if the \$300,000 is pulled out, a million-dollar
21 budget is still much less than what we had
22 beforehand. So we kind of need to recoup as much of
23 these funds as possible if we want to sustain what
24 we've been doing. And so that's, that's why I'm in
25 support of it. And having the ability to veto, you

1 know, having the ability to correct the budget ahead
2 of time going forward, that gives me some peace
3 about it. But I, I don't want Member Grubbs to feel
4 like I don't understand where she's coming from,

5 SALLEIGH GRUBBS: It's Fine

6 JANELLE KING: Because I understand 100%.

7 JANICE JOHNSTON: I understand also, but I
8 think that's why we hired James Mills, that he's the
9 executive director, and we need to give him the
10 direction but place our trust in him that he will
11 manage the finances carefully and fiscally
12 conservatively, as I think probably the three of us
13 are all fiscal conservatives. So I think he will be
14 wise about that. And in understanding the number of
15 times that he has met with the people in accounting
16 and OPB, I have full confidence that he will not
17 overspend. And he-- and this, this gives him the
18 adaptability that if, if he finds that it's costing
19 more than expected and we don't have the funds, then
20 he can cut back. He's not committing to 10 salaries
21 per year that include all of the benefits that go
22 with the salary position. These are used as needed,
23 so he can tailor this to the budget of the State
24 Election Board and make adjustments as the year goes
25 by. So I'm very much in favor of this.

1 JANELLE KING: Yes.

2 JANELLE KING: So I make a motion that we
3 approve this particular project. I don't remember
4 what it's called now, but Dr. J, you know what I'm
5 talking about.

6 JANICE JOHNSTON: Okay.

7 All right. All right. So and I will second the
8 motion. The motion is for the executive director to
9 enable data or an an expert researcher contract
10 program or with the temp agency, an expert to be
11 utilized to provide assistance with the-- with
12 investigations. The policies and procedures and
13 programs will be determined by the executive
14 director, and the director shall provide a summary
15 to us as an element of the executive director's
16 report that also will be presented at each meeting
17 after The minutes are read and approved. Can you
18 hear me?

19 SALLEIGH GRUBBS: Can you hear me?

20 JANELLE KING: Yes, yes, I hear you.

21 JANICE JOHNSTON: Okay. Yeah, is there
22 somebody on? Okay, okay.

23 JANICE JOHNSTON: Is there any further
24 discussion?

25 SALLEIGH GRUBBS: Again, I want to support it.

1 I get the point of doing it. I just, I can't vote
2 in agreement with something that I don't have any
3 frame of reference. And, you know, I'm sure
4 Director Mills will do the right thing, but would
5 just need more information.

6 JANICE JOHNSTON: Hearing no further
7 discussion, all in favor say aye.

8 JANELLE KING: Aye. Aye.

9 JANICE JOHNSTON: Aye. All opposed?

10 SALLEIGH GRUBBS: Nay.

11 SARA GHAZAL: Nay.

12 JANELLE KING: Oh, Member Gazelle is here.

13 SARA GHAZAL: Yes, I left my ongoing meeting to
14 join.

15 JANELLE KING: Thank you. Welcome.

16 JANICE JOHNSTON: Welcome. Welcome. Thank
17 you. Sara, Sara, did you vote nay?

18 SARA GHAZAL: I did. I did.

19 JANICE JOHNSTON: All right, okay, so we have,
20 so we have a 2-2 vote, so the motion fails to carry.

21 JAMES MILLS: And Madam Chair, that's all that
22 I had to present. I thank the board for giving me
23 this time.

24 JANELLE KING: Thank you.

25 JANICE JOHNSTON: Thank you.

1 JANICE JOHNSTON: Well, thank you. The only
2 thing I would like to add to Director Mills' report
3 is in the hiring of two part-time investigators just
4 in the last few days, There seemed to be an issue
5 with HR at the Secretary of State's office that
6 initially there seemed to be some obstruction with
7 our proceeding with hiring that apparently was
8 resolved. However, there seemed to be a leak of the
9 hiring process of an applicant that was leaked to
10 the to the Atlanta Journal-Constitution paper that
11 could not have come from anywhere else but either
12 the Secretary of State's office or perhaps the
13 chairman. I'm concerned that we get calls from the
14 AJC based on a mere applicant to-- for a job, which
15 I fear will interfere with our hiring process and
16 every time. This seems to be a recurring problem
17 with this board of leaking information to the press
18 to perhaps intend to affect the functions and
19 activities and actions that this board is dealing
20 with every, every day, every week. I'm disappointed
21 in, in this sort of behavior. I don't find it
22 unprofessional or appropriate.

23 JANELLE KING: Madam Vice Chair, I would like
24 to add to that. You know, you know, I-- when we
25 have people that are associated with human resources

1 that's giving applicants information to the press, I
2 just think this is much bigger than just someone, a
3 mole or leak. It's an intentional discrediting of a
4 person even before we are able to see this. In many
5 of these cases, the board members are not aware of
6 some of these applicants or who these applicants
7 are. And so when we read about it in the paper or
8 we're getting a phone call asking us to comment on
9 an applicant that we didn't even know was applying,
10 that's a major problem. And it's-- it it really
11 does cross over into our lane. I know we have to
12 work with the Secretary of State's office, but I
13 just share in your frustration with this. We should
14 be able to at least go through the hiring process
15 without the media knowing before the board.

16 JANICE JOHNSTON: It is problematic and it's
17 unethical, and we've had problems with the Secretary
18 of State's office with the HR department. For quite
19 a long time now. We've had applications that have
20 been hidden, applications that have been withheld,
21 and applications that have been unacknowledged
22 except for the serendipity or luck that we found out
23 about it. And I think I find that interfering with
24 the function of the State Election Board. And
25 again, I find it unethical.

1 SALLEIGH GRUBBS: Dr. Johnston, was there ever
2 a memorandum of understanding or anything done with
3 the Secretary of State with the administrative
4 responsibilities that they have to us?

5 JANICE JOHNSTON: As far as I know, there's no
6 memorandum of understanding with with Secretary of
7 State's office.

8 SALLEIGH GRUBBS: So we would just have to--
9 there would be some kind of professional courtesy, I
10 would think, that they would keep matters like that
11 confidential until the State Election Board is ready
12 to release that information. Is that not what
13 everyone else would expect?

14 JANICE JOHNSTON: I'm sure you would expect
15 that. I would expect that. I would expect the
16 activities and the privacy of what the board is
17 doing until it becomes public information. But to
18 leak tidbits to the press in order to perhaps write
19 an unflattering or critical article to be published
20 on the day of the meeting or the day before a state
21 election board meeting, I find very distasteful and
22 unprofessional, not only of the paper, but whoever
23 is leaking this information. But this is the same
24 Secretary of State's office that illegally and
25 secretly recorded a phone call of the President of

1 the United States and then leaked it to the
2 Washington Post with the wrong intention that did
3 great damage to this country. And this is the very
4 same office that is unethical, and it is
5 unacceptable.

6 SALLEIGH GRUBBS: Well, here's one question
7 that I have, which is, of course, we, we need to
8 keep our expectations low, and then perhaps we won't
9 be disappointed based on, you know, previous
10 experience. But aren't personnel matters to be
11 discussed in executive session as well? Perhaps
12 Member Ghazal can provide some more information on
13 that. And while yes, who we hire should be public,
14 but however, there is part of the process that
15 doesn't have to be done during executive session.

16 JANELLE KING: I mean, we discuss personnel
17 matters during executive session, but yeah,
18 Executive Director Mills has the the thumbs up to,
19 you know, begin the hiring process and hire without
20 coming to us beforehand. That's part of his role.
21 So, but he has to work with the SOS HR in order to
22 get them onboarded. So what's happening is he's
23 doing his job, and then when he goes through the
24 onboarding process, or he goes through them, that's
25 how it's getting leaked.

1 SALLEIGH GRUBBS: I agree with that, but I'm
2 I'm saying that there should be, there should be a
3 degree of confidentiality with the administrative
4 arm that we are encumbered to use in hiring
5 processes. So I would like to get some advice from
6 our legal counsel on, you know perhaps sending a
7 letter to the Secretary of State's office that these
8 matters should not be leaked to the press. Or, you
9 know, I mean, who knows whether someone else did it.
10 I did not do it, so I don't know who else may have
11 leaked the information, but surely if it's coming
12 out of the Secretary of State's office, then they
13 should be cautioned to please not do that.

14 JANICE JOHNSTON: Well, as best I understand,
15 this was a hiring process that Director Mills was
16 undertaking, and it should have been in his control
17 and should not become part of the Atlanta Journal-
18 Constitution calling different people and asking
19 open records requests on a potential new applicant,
20 hiree, employee before the ink is dry on the paper.

21 SALLEIGH GRUBBS: I don't know, is there a vote
22 that we need to take on this matter, or is this for
23 information, I guess.

24 JANICE JOHNSTON: I guess the question is,
25 should we file an ethics complaint? But I don't

1 know who to file it against other than the-- I don't
2 know, the AJC or an unknown leaker. But I sure
3 would like to find out who it is.

4 SALLEIGH GRUBBS: Maybe the press will tell us.

5 SARA GHAZAL: Filing against a media outlet
6 because the First Amendment protects them, that is
7 how I learned of of the board's hiring decisions was
8 from the media. I knew nothing about any of it.
9 But then the First Amendment protections, that's
10 what they do is they report.

11 JANICE JOHNSTON: Well, they certainly are.
12 They qualify for being nosy, and that's how I found
13 out about a lawsuit that the state election board
14 filed against someone by reading the newspaper. I
15 find that also very troubling.

16 JANELLE KING: Yeah, I think that the point is
17 not that they're reporting the news, is the point.
18 I mean, which is also debatable, but the point is
19 that they are reporting information that the SEB has
20 not provided to them. To get SEB information from
21 another agency and then write about it without even
22 contacting the SEB, now we're stepping outside of
23 journalism. Now we're We're writing hit pieces, and
24 to me it feels like we're dealing with a gossip blog
25 rather than an actual journalist or journalism. So

1 the problem is the process that this is happening.
2 I mean, it happened before when they reported that
3 we had cases that were in backlog, yet we didn't
4 know about these cases. So the fact that the media
5 knows before the board, I do find that to be
6 problematic.

7 JANICE JOHNSTON: I find it very problematic
8 when the Atlanta Journal-Constitution writes a hit
9 piece on our new hiree Hope Cohen as she was sitting
10 at her dying mother's bedside, and and they would
11 not hold off and they published this piece even
12 though they were specifically asked to refrain, and
13 it was for nothing more than to discredit and, and
14 hurt the State Election Board.

15 JANELLE KING: Right, right.

16 JANICE JOHNSTON: So, so Member Ghazal, they
17 may have the protection of the press and their the
18 freedoms that, that they've been allowed and
19 provided by the Supreme Court, but that doesn't mean
20 we have to like it or think it's appropriate or
21 ethical. We can certainly express our opinions that
22 it's very unethical.

23 SARA GHAZAL: Everyone's entitled to opinions.
24 I'm just saying an ethic-- a formal legal ethics
25 complaint wouldn't really go anywhere, right?

1 JANICE JOHNSTON: But I sure would like to know
2 who leaked it because they deserve an ethics
3 complaint.

4 JANELLE KING: Absolutely.

5 JANICE JOHNSTON: All right, all right. So
6 thank you, Executive Director Mills. Next, to move
7 on to the issue of the agenda item of drop bags and
8 Dropbox surveillance. This question was brought up
9 recently because Fulton County had in the last few
10 months announced their plan to allow absentee ballot
11 returns at any early voting site that does not have
12 an official drop box. And they were designating
13 every early voting site as an additional registrar
14 site for receiving absentee ballots. And that
15 resulted in plans for 22 additional sites to return
16 absentee by mail ballots to what they called--
17 initially called a drop bag. There's no provision
18 in our election code for drop bags, so I believe the
19 terminology changed in the last few days and they
20 just now call it delivery of absentee ballots, and
21 they've dropped the word drop bag that was coined a
22 few weeks ago. It's to be couriered and picked up
23 by a team of temp employees hired by Fulton County
24 every day of 19 days of early voting, which means
25 there will be 418 election actions to be recorded,

1 tracked, documented, and retained. There's no
2 statute or rule that, that provides for drop bags,
3 but this, this plan is now in place and be carried
4 out. So I just wanted to open the meeting for
5 discussion of this. We've asked different opinions.
6 We've received opinions from our legal counsel that
7 provide that the statute 212-382 does provide for
8 additional buildings as additional registrar's
9 offices or place of registration for receiving
10 absentee ballots. Member Ghazal, would you like to
11 speak? She's muted. She's muted.

12 JANELLE KING: I don't know. I don't know if
13 she's--

14 SARA GHAZAL: I'm sorry, I had to step aside
15 because again I was not planning on-- I was really
16 not available, so you'll have to repeat the question
17 if something was directed to me.

18 JANICE JOHNSTON: Yes, the question is, would
19 you like to speak as to the drop bag plan that
20 Fulton County has implemented for this primary
21 election?

22 SARA GHAZAL: I am not Fulton County. I can't
23 speak on behalf of them. I know that they had sent
24 us their full procedures that they had they had
25 voted on and were implementing, but I will-- I have

1 not had the time to review them because I did, and
2 if Fulton County is not here to speak on their own
3 behalf, I certainly would not deign to do that in
4 their stead. And my understanding, I've also heard
5 reports that they halted the program today for fear
6 of-- because the reports I heard, this is
7 secondhand, was that their election workers were
8 frankly being intimidated because they were having
9 their cars, the license plates recorded and that
10 sort of thing. And they felt threatened by that.
11 So they stopped the program that gave a little bit
12 more accessibility to voters. I find that really
13 disappointing.

14 SALLEIGH GRUBBS: Are there other counties that
15 are doing it as well besides Fulton County?

16 SARA GHAZAL: Doing what? Accepting ballots?

17 SALLEIGH GRUBBS: The drop bag plan.

18 SARA GHAZAL: I mean, I'm very confused by this
19 language just because how the counties maintain the
20 ballots that have been delivered by hand. Differ by
21 county. I don't know what sort of container
22 Gwinnett County, for instance, stores the ballots
23 that have been delivered by hand in person at early
24 voting locations. I have no idea how they store
25 them. I know that they have a very thorough

1 procedure and chain of custody, and they've been
2 doing it for years the same way. I know that DeKalb
3 County accepts absentee ballots delivered in person
4 at early voting locations, and they have for years.
5 I don't know what medium they use to store the
6 ballots during, while the early voting locations are
7 open. We would have to request a copy of the
8 procedures, assuming that they have written
9 procedures. I know that Gwinnett County has written
10 procedures that their board has approved. And they
11 train their early voting location workers on this,
12 deputy registrars, but I don't have it in front of
13 me. And that's why if this is going-- if the board
14 wants to look at this, it really needs to have a
15 thorough investigation. It needs to invite the
16 counties that are undertaking it to come and
17 present. I am not prepared to do that. I was not
18 prepared to be here today.

19 JANICE JOHNSTON: I wouldn't call this-- I
20 wouldn't say that an investigation is the issue, but
21 I do think that it would be prudent of the State
22 Election Board to review this and observe the
23 process and review the counties that are also
24 participating in a similar activity to see if
25 there's a uniformity in this return of absentee

1 ballots to see if they indeed are compliant with the
2 security issues that might be involved, whether
3 there's really an inherent risk or security concern
4 for these voters' absentee ballots to ensure that
5 they're actually properly documented and properly
6 transported and properly processed and cast as a
7 vote. So it would just-- I think especially with a
8 county as large as Fulton County and a county like
9 Fulton County that has had issues in, in the past
10 with processes and documentation and chain of
11 custody and transparency and record retention, I
12 think it would be wise for the, the this new plan
13 that involves a lot of election actions to be
14 tracked and documented, to be reviewed and make sure
15 that it's being done in a secure and safe, safe way.
16 I wouldn't-- I would never-- I would not accuse
17 anybody of doing something that would suggest an
18 investigation that's illegal. But I just think we
19 need to be careful about any new processes that are
20 and that are not being performed ask the state that
21 they're done in a legal and fair and transparent
22 manner.

23 JAMES MILLS: Madam Chair, if I may, I'm
24 certainly not an expert on this, but I have looked a
25 little bit at some of the procedures that Gwinnett

1 has in place. And Fulton County has in place in
2 regards to the drop bags, and they are different,
3 even in the way of delivery. And at least, at least
4 as far as I'm concerned, the chain of custody issue
5 is what should always be one of our utmost concerns.
6 Every time, every time the ballot leaves the voter's
7 hands and touches somebody else's hands is a
8 potential risk of increase of fraud. You hope that
9 it never happens, but it does increase the risk.
10 And with drop bags, it's my understanding that
11 Gwinnett County The poll manager or the precinct
12 manager delivers those to their main hub, the drop
13 bags. In Gwinnett County, it's my understanding
14 that those are delivered by two temp workers that
15 are hired. Understand, I think they receive some
16 training, but to me this is of utmost concern. And
17 how they're being transported. Because again, every
18 time the ballot exchanges hands, that chain of
19 custody has to be there. It must be of the utmost
20 importance. And when one county adds 22 drop bag
21 locations that they previously never had, and when
22 that county happens to be on record as having more
23 chain of custody issues than any other county in the
24 state in regards to issues that have come before
25 this board on chain of custody, then I think this

1 board has every right to pause and raise questions.

2 And I appreciate you doing it.

3 JANELLE KING: I mean, to not have observers in
4 place as a part of of the chain of custody process
5 is what leads to scenarios like what Member Ghazal
6 was saying as it relates to people copying down
7 license plates and all the things above. It's
8 because that obviously there's a crucial portion of
9 the process that was not properly planned for, and
10 that's observation. I think we forget that the only
11 private part of elections is who you vote for.
12 Everything else is supposed to be public. And if
13 you are gonna implement a new process, I'm not
14 opposed to the implementation of new processes that
15 makes it easier for people to cast their ballot.
16 However, you have to think through every aspect of
17 that process, which includes observation. So if
18 they don't have an observation plan in place, and I
19 do think it is the responsibility of this board if
20 their board is not doing it as far as the county to
21 provide some oversight, some transparency, and some
22 observation.

23 SALLEIGH GRUBBS: So, so as I mentioned before,
24 I ran into this issue. I can't remember if it was
25 '22 or '23, the years are kind of melding together

1 when they started doing it in Cobb County. And part
2 of the issue is you know, having these locations and
3 not having the observation or the, the watching of
4 this process. So, as you know, as long as the
5 county has a written plan in place for handling it
6 and there's chain of custody and things are recorded
7 properly according to law, then that's one thing.
8 So I would think that the counties who are doing it-
9 - I don't know all the counties who are doing it. I
10 appreciate the fact that the attorney for Fulton
11 County sent theirs in, but I think those are
12 processes that would certainly be something that we
13 should request to review and make sure that they're
14 doing this according to law. Can't hear you, Jan.

15 JANICE JOHNSTON: I pulled up the recent
16 absentee voting statistics. and I see the, all the
17 applications and ballots received in return. And,
18 and then I pulled up the advanced voting statistics,
19 and I see all the, the early voting sites and the
20 ballots cast. And then I pulled up the unofficial
21 absentee ballot count box. Data that is being
22 presented, and this is, this is all very nice, but I
23 cannot-- I do not see anywhere a record of the drop
24 bag ballots, or whatever you want to call it, the
25 alternative, the other return of absentee ballots to

1 22 early voting sites. There's nothing like this.
2 So where, where is this report? Of ballots that are
3 dropped off to a poll manager or an assistant poll
4 manager.

5 SALLEIGH GRUBBS: Perhaps why Rule Making.

6 JANICE JOHNSTON: Where is that transparency or
7 the tracking and recording of that? I mean, today,
8 you know, voting couldn't be easier today. It's
9 simply you drop your ballot in the mail, you either
10 drop your ballot in a drop box You drop it off at
11 the election office, or you vote in person over 19
12 days at these early voting sites. I, I don't-- and
13 or you vote on Election Day. Voting is ridiculously
14 easy, and to, to say that we're making it difficult
15 for somebody to vote just doesn't-- it doesn't fly.
16 I'm just not buying it. It couldn't be easier in
17 this state. And, and of course, you all know my
18 opinion that absentee by mail voting should be a
19 very infrequent way to vote. I mean, it should be
20 that there's just too many variables and risks
21 associated with it. And the voter doesn't-- the
22 voter doesn't actually cast their own ballot, do
23 they? They give it to too many hands to be passed
24 through before it actually gets put through a
25 scanner to be counted. And can they, you know, can

1 an absentee-by-mail voter ever really know that
2 their vote was actually cast and counted? I think
3 not. So, you know, and we've heard complaints
4 through the years of absentee ballots found in
5 drawers and found in dumpsters and found in ditches
6 and found in shredders. So my advice would be to do
7 not vote absentee-by-mail unless you absolutely have
8 to, unless there's no other way. Cast your own
9 ballot into the ballot box yourself. Be sure that
10 you and only you touch your ballot. But to that
11 end, I'm sad to hear that they have discontinued
12 this new plan because I would very much would have--

13 Oh no,

14 SALLEIGH GRUBBS: you're muted again.

15 JANICE JOHNSTON: Glanced at their, their plan,
16 and I would love to observe that and compare it to
17 the other counties so that perhaps we would-- this
18 would be a ripe rulemaking challenge for the State
19 Election Board if we still write rules these days.
20 Nevertheless, if there's no further discussion, I
21 don't think there's any more to do except that if I
22 would like to ask our new investigators to look
23 into, to review this process and observe where they
24 can, if there are some counties that are are voting
25 at early voting sites with additional registrar

1 offices. Is there any further discussion? Next on
2 the agenda is election night reporting. Miss
3 Grubbs, I think you had some words, something you'd
4 like to discuss about this.

5 SALLEIGH GRUBBS: Yeah, I would. Yeah, I
6 would. I feel like that, you know, as we discussed
7 last time, I believe that the code section does
8 provide that there should be watching of the
9 election night returns. We've gone back and forth
10 by email about this with the chairman and with all
11 the members of the board, and included with the
12 council for the Secretary of State. It's very
13 bothersome to me. We're told in one way that
14 there's no tabulating going on there. Well, I would
15 like for someone to explain what goes on at the
16 election night reporting room where you take all of
17 the numbers from each of the 159 counties and you
18 aggregate them in a total. And I would like to
19 address some issues that I see with that, that there
20 is tabulation going on there because you take all
21 the numbers from all the counties, you add them
22 together. I understand that there are issues with
23 sometimes with the county reporting the numbers, and
24 I was told that the Secretary of State doesn't
25 change the numbers, but it's my understanding that

1 Secretary of State will reach back out to the
2 counties and ask them to change the numbers, which
3 to me, you know, it's no distinction of difference
4 there. It is the Secretary of State, you know,
5 doing that. And in some cases, I'm sure it's
6 legitimate. They may have forgotten to upload
7 advanced voting numbers or absentee numbers or, you
8 know, whatever the case may be. There may have been
9 some error, but there needs to be oversight of that.
10 And so we were told via email through the chairman
11 that we would not be receiving an invitation. Yet I
12 know of several news outlets that have received
13 invitations to be there for election night
14 reporting. And we have the chief elections officer
15 of the state of Georgia overseeing that entire
16 operation, who happens to be on the ballot for
17 governor. And I think that that is a huge conflict
18 of interest. And I believe that the State Election
19 Board does have oversight duties and
20 responsibilities there. And whether it's me, I
21 don't care whether it's the parties providing the
22 oversight, whatever. But there needs to be some
23 documented oversight of that process. And
24 personally, I believe that we need to obtain
25 independent review by independent counsel. And so

1 This is where, you know, that budgeted amount of
2 money could be very helpful. You know, I believe
3 there's conflicts of interest that exist, that I
4 think that we need a free and fair and independent
5 review of the legal obligations of the board, our
6 oversight obligations, and I would like to get that
7 done immediately.

8 JANELLE KING: I happen to agree. I think
9 that, you know, this entire process has been
10 difficult. We've inquired about this, about being a
11 part of or having representatives there. We
12 mentioned having a Republican representative and the
13 Democrat representative in the room in order to
14 create balance. And we've talked about this, the
15 fact that it took, you know, Chairman 3 weeks to
16 contact them.

17 SALLEIGH GRUBBS: Longer than that.

18 JANELLE KING: Right, from when we first asked.
19 Not to mention him, you know, talking to them. And
20 then what I found to be a bit odd is that in the
21 explanation, we're told that this location has to
22 remain private before for safety purposes because of
23 whatever happens there. But we're also told that
24 nothing happens there. And two things can't be--
25 two things can be true, but not in this case. It

1 can't be that it's serious business going on there
2 and we need to keep it private, keep the location
3 private. But at the same time, there's nothing to
4 see here. And at some point, I would like to see a
5 government agent agency that is paid for by the
6 people to say something other than no. I would love
7 to hear them say, sure, come in, let's be
8 transparent. But for some reason, the nothing to
9 see here is so much of nothingness that we have to
10 just take their word for it. That's not how a
11 republic works. And so asking for transparency.
12 The concerns that we have are concerns that I'm
13 hearing throughout the state. We have a sitting SOS
14 who is also running for governor. We have a former
15 SOS person running for SOS. We-- the SOS can invite
16 whomever into this room. We are unaware of who that
17 person person is or who those people are or if
18 they're doing it. It's just, it's too much distance
19 between transparency, oversight, and protection and
20 this office. So if, again, if there's nothing to
21 see there, then I would like to see what this
22 nothingness is. It doesn't have to be my eyeballs.
23 I understand that. I would not request to be there.
24 However, I do think that someone needs to be there,
25 and I question whether or not and this is why I

1 agree with Member Grubbs as far as getting legal
2 counsel on this, because I'm questioning whether
3 they have the, they have the authority to say that
4 there can't be any oversight of the State Election
5 Board. So that's where I am at this point. I think
6 we politely ask to be there. However, I'm not sure
7 if we needed to be invited. As I've heard another
8 board member say, this is not a party. This is what
9 we're supposed to be doing. So I'm all for seeking
10 some legal guidance on this.

11 SALLEIGH GRUBBS: Well, if you know, just again
12 to reiterate for the public, in the code section it
13 21.2406, public performance of duties by officials,
14 superintendents, poll officers, and other officials
15 engaged in the conducting of primaries and elections
16 held under this chapter shall perform their duties
17 in public. Now, we all know that the, you know, the
18 voting occurs on the local level in the precincts.
19 But if you're going to treat this any different as
20 far as the election night reporting room where the
21 election night reporting is happening for the entire
22 state, then what do you call the central location of
23 a county where they are accepting the returns of the
24 precincts? There's no difference in that being an
25 open and transparent process. And then for further

1 reading, if people want to read, you know, read for
2 yourself, people need to investigate for themselves,
3 21-2-408. And we owe it to the, we owe it to the
4 candidates to ensure that they have confidence that
5 any issues in this regard are being observed and
6 being watched. And so I'm of the opinion that we
7 need to obtain an independent legal opinion. And
8 you know, there are prior board members who have
9 been in locations. I know that the chairman has
10 been there before. I understand that the facility
11 may have certain security issues, but If the press
12 is invited and they gain entry, there's no reason
13 why observers should not be given entry as well. So
14 I believe this is a huge deal, and I would like to
15 ask that the director appropriate some funds to get
16 an independent legal opinion for this purpose.

17 Janice Johnston: I would like to share 4, 4
18 codes with this group concerning the Secretary of
19 State. 21.250 says the Secretary of State is the,
20 quote; : The state's chief election official."
21 Chief election official. Or a 6, just like Member
22 Grubbs just stated, public performance of duties by
23 officials. Is required. And 21.2.499 describes the
24 duty of the Secretary of State as to tabulation,
25 computation, and canvassing of votes for the state

1 and federal offices. And finally, 21.2.421 says as
2 soon as possible after the close of polls The
3 election superintendent shall report to the
4 Secretary of State. Results and comparisons shall
5 be reported to the Secretary of State in a public,
6 prominent public place. We did reach-- we have
7 reached out to various council and others as to the
8 question about election night reporting, and sadly
9 the election code doesn't specifically state that
10 the members of the board be allowed or require--
11 required to attend. So the code is not helpful for
12 the State Election Board, and therefore I guess
13 we're supposed to be invited as if to a party And we
14 did reach out to the Attorney General. They are not
15 taking a stance on this topic. And I reached out to
16 the Democrat Party, and they also are not taking a
17 stance on this, although they would certainly send a
18 representative if representatives of each party were
19 included. And then the Republican-- the Republican
20 Party did issue a statement and said and confirmed
21 that they felt strongly that there should be
22 observation of election night reporting by the state
23 election board. So that's where we stand. And I
24 would entertain a motion, Member Groves, if you have
25 one.

1 SALLEIGH GRUBBS: I make a motion. I make a
2 motion that the executive director engage with legal
3 counsel to obtain independent legal advice as to
4 this matter as soon as possible.

5 JANELLE KING: Second.

6 JANICE JOHNSTON: There's a motion. There's a
7 motion and a second to seek legal guidance
8 concerning this issue with independent counsel. Is
9 there further discussion?

10 SALLEIGH GRUBBS: I would just like to say this
11 is complete-- should be completely unnecessary, but
12 it is a pattern of behavior from this, from the
13 Secretary of State to, you know, it's-- I guess it's
14 become personal with the SCB, maybe because he's no
15 longer on the SCB. I don't know. That was a
16 legislative decision. Of course, it's completely
17 unnecessary. And I did make a post publicly that if
18 you have nothing to hide, you hide nothing. And if
19 everything is a-okay as it should be and there's,
20 there's no discrepancies and there's no issues, then
21 there should be no problem, you know, allowing
22 oversight of this matter. Now, there was someone I
23 know who sent an email complaint about this to the
24 Secretary of State's office, and the response was,
25 no tabulation happens at the location being

1 mentioned.

2 Not-- of course, I don't know what this person
3 understands as tabulation, when you are aggregating
4 the total number of votes from 159 counties. He
5 says not one ballot, not one count. However,
6 however, if the-- I would like this person to answer
7 the question. Did the Secretary of State's office
8 phone back or email back to counties in any election
9 in the last 5 or 6 years and tell them to change
10 their numbers or to change their reporting? Because
11 whether the Secretary of State physically does it at
12 this location or whether or not they tell a county
13 to do it and the county just does it at their
14 direction, that is something that should be
15 available to the public and the public to be aware
16 of. And so I would like for them to answer that
17 question. Of course, I don't expect a response
18 because they are not transparent, and that's just a
19 fact.

20 JANICE JOHNSTON: The issue with being located
21 at GEMA, Georgia Emergency Management, is simply
22 appears to be a way to avoid being, being public
23 with the election night reporting. There's no need
24 for GEMA to be present with election night reporting
25 and the tabulation of votes. GEMA is really

1 necessary for incidents or emergencies, reporting of
2 floods, reporting of tornadoes, reporting of power
3 outages, reporting of bomb threats at polling
4 places. But that really is not the issue of
5 election night reporting to the Secretary of State
6 and accepting all of the returns from 159 counties
7 in the state. Is there any further discussion? If
8 There's no further discussion. There's no further
9 discussion. Uh, I'll call for the, um, question.
10 All in favor of obtaining, uh, independent legal
11 opinion, say aye.

12 SALLEIGH GRUBBS: Aye.

13 JANICE JOHNSTON: Aye. All opposed? Motion
14 carries 3 to 0.

15 Thank you. Last item on the agenda are rule
16 petitions that were submitted in the last-- within
17 the last week by Member Grubbs. There are 1, 2, 3,
18 4 rule petitions, and we need to afford her some
19 time to speak. It's my understanding that she We'll
20 be requesting that these actually be placed on the
21 agenda for the June meeting because of the several
22 issues, because Governor has now announced a special
23 session, called special session. Also, these were
24 submitted rather recently and the board needs to
25 have time to study these petitions, and also the

1 entire board should be present to hear petitions
2 that are pertaining to something as important as the
3 conduct of elections, vote definition, and ballot
4 secrecy. So, Miss Grubbs, Member Grubbs, would you
5 like to address, you know, make your-- still make a
6 statement or speak to these rule petitions or speak
7 of the merits of these rule petitions?

8 SALLEIGH GRUBBS: Yes, I would.

9 JANELLE KING: Member Grubb, real quick, there
10 aren't any votes are going to be necessary, right?
11 I have to jump off in 20 minutes. So I just want to
12 make sure that I'm not missing anything. I'm glad.
13 I'm so happy that this is going to take place in
14 June so I can be present and be a part of it because
15 I have read through the rules. But I just want to
16 make sure I know that.

17 SALLEIGH GRUBBS: Well, actually, I mean, yes
18 and no. As far as waiting until June, actually,
19 this really can't wait until June. And the thing
20 is, everybody seems to be forgetting that we have a
21 special election that's coming up. For the
22 Congressional 13 race. That's why some of these are
23 referenced as temporary rules. And yes, the
24 legislature is coming into session the day after the
25 primary, but that is not going to be in time for

1 the, for the Congressional 13 race. And so I think
2 it's very important that the counties prepare to
3 conduct that election. The counties that are
4 affected by that particular election, I think it's
5 very important that they be prepared to conduct that
6 race. Hand-marked paper ballots because they're
7 going to fall into that period of time where that
8 race is going to happen before, you know, after July
9 1st, you know, but before anything can possibly be
10 put in place by the legislature. You know, I still-
11 - and these are very similar to the rules that were
12 proposed previously, of course. You have Exhibit 1,
13 and for the people on the YouTube channel who are
14 chatting, you can go to my ex-post, you can go to
15 the Facebook link on Facebook for the State Election
16 Board, and the rules are posted there. The
17 temporary proposed rule, as it was sent to everyone
18 on the board, the red font is the temporary rule,
19 the blue font would be the permanent rule. And the
20 first one is a change to 183-1-15-.02 on the
21 definition of a vote. Paragraph 2 would be a
22 permanent rule change that says a vote cast on an
23 optical scan ballot shall be detected and tabulated
24 directly from the original paper ballot and not an
25 electronic copy of the ballot. The issue there is

1 that there is not appropriate chain of custody, and
2 the ballots would-- we can't have tabulation from
3 images, which, as I understand, could be a
4 possibility being submitted, that the tally would be
5 done for the votes would be done by ballot images,
6 which is the same thing as saying, here, let me pay
7 for my, my check with a photocopy of money and not
8 with actual dollar bills. So that is one change.
9 Then we have the addition of the temporary rules for
10 paragraph H. And if we can get Sean to put up the
11 images, the slides for the graphics that I sent. So
12 if you can go to the first one. The language, this
13 is directly taken from Senate Bill 189, and the
14 reason that this is very important is because the
15 definition of a ballot actually changed in Section
16 7, and we have never adopted a rule to conform the
17 State Board election rules to what the actual
18 legislation said. Then if you can go to the next
19 one.

20 Court Reporter JOHN SHEFFIELD: Apologies for
21 the interruption. Would you like any of these
22 attached to the transcript?

23 SALLEIGH GRUBBS: That would be great. That
24 would be great.

25 Court Reporter JOHN SHEFFIELD: Perfect. I'll

1 give you my email after.

2 SALLEIGH GRUBBS: Okay. That would be great.

3 Okay. That would be great. So the rule in

4 paragraph H, the proposed rule is being proposed for

5 this special election, because Senate Bill 189 did--

6 we have what the current rule is, which was previous

7 to the Senate Bill 189 language and Senate Bill 189

8 actually changed things. So it requires a new rule.

9 This conforms the rule to the July 1st law requiring

10 the text is the official vote, although it is

11 impossible to comply with law. Counties cannot, as

12 it is, comply with the new law and the new rule,

13 therefore impossible and impracticable, invoke the

14 backup balloting measure. So that is under Exhibit

15 1. And Sean, if we can go to the, the visual of the

16 temporary proposed rule for 183-1-12 --.01.

17 Perfect.

18 Perfect. If they can, it would be under

19 Exhibit 2. There you go. There you go. Yeah, if

20 you under paragraph 2 This language makes it clear

21 that BMDs are not absolute unconditional. They must

22 comply with the law. Then adding paragraph 5 below,

23 that would invoke the backup system for the July

24 election. And that's why I say changing the rules

25 if we wait until the June meeting would be too late

1 because we're not providing accommodation for what
2 will happen with the July election of that
3 congressional race because early voting actually
4 starts before July 28th. So to get the rules in
5 place, you know, we're right here at the, not just
6 the 11th hour, but the 12th hour. And then
7 paragraph 6, if you'll scroll down, Sean, that the
8 use of ballot-on-demand printers would be available
9 for early voting. And then if you'll scroll down to
10 183-1-12-11, On conducting elections in paragraph
11 2B, it adds language for voters voting on an
12 electronic ballot marking device. Just simply
13 noting here that the procedure is for a BMD and not
14 a hand-marked paper ballot for people that require
15 assistive voting. And then paragraph C, under the
16 provisions, this is just conforming the temporary
17 election rule, making it clear that it applies to
18 special election, not just emergency balloting
19 provisions. And then when you scroll down a little
20 bit, just cleaning up the language to show that it's
21 to clarify that the vote is to be cast in the
22 scanner, not just put in the emergency bin. And
23 then further down, for statewide, the federal
24 candidate is on the ballot. And electronic ballot
25 markers are the primary method of in-person voting.

1 This deals with cutting down on waste for emergency
2 ballots. And the previous Election Day requirement
3 of 10% of all registered voters is very high, and
4 that's a very wasteful amount. It should be reduced
5 to 10% of active voters who have not voted during
6 early voting Therefore, securing people's concerns
7 about having too many paper ballots out there for
8 the backup system, and also addressing statewide
9 versus the state, all-state elections. So again,
10 that just makes sense to do that because you want to
11 eliminate the waste and eliminate any potential
12 issues for any fraud or anything like that. Then
13 subparagraph D, this deals with unforeseen
14 circumstances. We had some conversations previously
15 about the superintendent and the superintendent's
16 designees. This is for actual emergency conditions
17 while using BMDs about having to-- the issue of
18 having to call board meetings to make those
19 determinations. It's still further down, halfway in
20 paragraph, subparagraph D, it addresses that the
21 determination is in the discretion of the election
22 superintendent, which of course is the board. Then
23 we can scroll on through to subparagraph 4. This
24 also deals with the absolute secrecy with voting by
25 BMD to clarify that the privacy of the voter means

1 that the ballot secrecy is required by statute,
2 which it is, that that shall be maintained. So just
3 a few cleanup language points there. If we scroll
4 down, scroll down to the review, and again, this
5 gets into some pretty big detail, but in paragraph 8
6 Actually, where it says voting on a BMD, this is,
7 you know, there was some concern about people having
8 to employ additional people to have them review
9 ballots and that kind of thing. You know how the
10 poll worker will be there to say, you know, review
11 your ballot and that kind of thing. This is the
12 effort to ask if the voter checked the ballot is not
13 needed for hand-marked paper ballots. If they're
14 voting for hand-marked paper ballots, that need is
15 not there. The BMD check is to review to see if the
16 machine actually marked what the voter instructed.
17 That would not be necessary for hand-marked paper
18 ballots. Down to paragraph 10A, these-- there's a
19 couple of minor changes there. And then if we move
20 on to paragraph 11, subparagraph C just to clarify,
21 just to clarify the transparency and the poll
22 watchers' rights to actually see what is happening,
23 and then their ability to report any discrepancies.
24 And then if we go down to Exhibit 4 on ballot
25 secrecy there's some additions to the temporary

1 rules. This is a very, very important rule because
2 this also addresses the DVS order problem that we've
3 talked about. This adds the language for protecting
4 the absolute secrecy updates to the statute and to
5 ensure that the accessible device is private, and
6 again, ensuring the privacy for people who need
7 assistance with voting. Then subpar-- or paragraph
8 3 addresses the Congressional District 13 special
9 election and handling that situation. And then the
10 Secretary of State updating the software for the
11 assistive devices for those BMDs that are necessary.
12 This addresses in paragraph 4 The update of the
13 software handling the DVS order problem and that
14 kind of thing. So I know I ran through it pretty
15 quickly, and I know that these items have previously
16 somewhat been addressed, not really actually going
17 through the rules in this manner, but also it is--
18 there is some issues going on where there might be
19 some attempt to do a double-blind counting of the
20 valid images like we've talked about. You've got to
21 always count from the source document. There are--
22 again, my illustration of paying with a picture of
23 money. And then in Fulton County, we know that we
24 have images of ballots that just didn't exist. So,
25 and again, those things would be going on over the

1 internet. So at this point, I'm asking for the
2 standing committees in the legislature to be part of
3 this conversation. The ones that do have oversight
4 and that are standing committees is the Senate
5 Ethics Committee and the House Governmental Affairs
6 Committee. And again, while I disagree that just
7 because a special session has been called that
8 that's going to alleviate all these issues, it is
9 not because the Congressional 13 race is happening
10 before anything feasibly can be done by the
11 legislature, number one. And those two committees,
12 they can oppose the rule proposals, they can stay
13 them, but we need their help and participation in
14 this. And each one of these is an amendment to the
15 current rules. And again, everyone seems to be
16 afraid of the eternal vigilance issue and that kind
17 of thing, and trying to scare us into not doing our
18 job. And I would ask the board really
19 comprehensively review these rules because there
20 were many issues that were never addressed. The
21 rules were never fully presented despite what was
22 said. Yes, there was a presentation, but that was
23 more heavily on our authority than it was on the
24 actual rules. And we're actually behind in making
25 rules that apply to elections and We need to have a

1 lot of focus on that. That's why I would like to
2 say we need, we need a staff attorney who can help
3 us in drafting some of those rules. And that's, you
4 know, again, as to the funding, where I would like
5 to see the money spent is on a staff attorney who
6 can assist with doing that and working with these
7 two standing committees. Now, I would ask for a
8 vote, but I don't feel like that would be fair to do
9 without a full complement at the board. I do know
10 where the chairman stands. I don't know where Ms.
11 Ghazal stands, but while these are urgent matters
12 and I think these rules are very important, I don't
13 think it would be fair to call for a vote without
14 them being in attendance. But I do think this is
15 something that's pressing, and I do not think it can
16 wait until the January meeting.

17 JANELLE KING: In regards to the attorney, I
18 know that's something That's something that we
19 fought for as well. Member Johnston and I were in a
20 meeting with the Speaker a few years ago when we
21 asked specifically about that, and he made it very
22 clear that in order for us to have an outside
23 attorney, we would have to engage in conflict
24 counsel or get approval from the AG because they are
25 our attorney. So just to kind of bring you up to

1 speed on that one. That has been something we have
2 fought for for a very long time. But because the AG
3 office is our attorney, we don't have the authority
4 to dismiss them. Well, and I'm not trying to
5 dismiss them.

6 SALLEIGH GRUBBS: I'm just saying that there
7 clearly is not enough time to, you know, and get
8 seeking advice and counsel on drafting rules and
9 things of that nature, I think are very important.
10 But, you know, we're the low man on the totem pole.
11 You know, let's, let's get real. There's a huge
12 conflict. There's a huge conflict that does exist,
13 and we need advice in drafting common sense rules,
14 rules, and reviewing common sense. These rules are
15 common sense given the state of the code in the
16 state of Georgia. And if you ask me personally, we,
17 we're going to have a legislative session. And if
18 you expect me to hold out any hope that these issues
19 are going to be addressed and handled, I don't.
20 Because we had the Blue Ribbon Committee on
21 Elections. We wasted a lot of time with that, with
22 nothing changing. We went through-- we've gone
23 through now 2 sessions on, you know, since SB 189
24 was passed. And I love the fact that SB 189 says
25 what it says, but our rules are not even in

1 compliance. With SB 189. And the reason is because
2 we have been beat over the head with the fact that
3 we can't make rules. And I think that's, you know,
4 as a, you know, person I heard speak a lot say,
5 that's stinking thinking. We are not complying with
6 what our obligations are to the state if we don't
7 make rules that are in compliance with the code. I
8 don't want to go outside the code to make rules.
9 but I want us to make rules that are in compliance
10 with the code, and we are behind on that, and
11 something's got to be done to address that.

12 JANELLE KING: A lot of rules since we've been
13 here. I mean, they got shot down in the courts, but
14 I don't, I, I don't want to make it seem like we're
15 not-- I don't know if we have a quota or some quota
16 we're not meeting, but I will say that this board
17 has certainly presented a lot of rules and And I'm
18 sure the media will contest to that. But well.

19 JANICE JOHNSTON: The record number of rules
20 was passed in 2020 by the Secretary of State when they
21 brought Dominion to the state.

22 SALLEIGH GRUBBS: And these and they changed
23 our method of voting in 2020.

24 JANICE JOHNSTON: And Chairman-- yes, actually
25 they did. Chairman Fervier did send an email with

1 his opinion. He is opposed to these rules. I'll
2 just share this with, with this group here. He says
3 they're not authorized by statute. One, he says,
4 two, there are the rules change the way that voting
5 is conducted in an election. And three, adoption of
6 these rules would likely lead to litigation given
7 that they're not grounded in statute. It sounds
8 like we've heard that a dozen times, Member King.
9 But actually, this reminds me and should remind all
10 of you of the 2020 election. Secretary of State
11 violated the Elections Clause by unilaterally
12 changing the conduct of elections without using the
13 state legislature to pass laws. He passed laws that
14 were not grounded in statute and used the Cover of
15 COVID to do that, including mailing 7 million
16 absentee ballots, making signature verification
17 meaningless, allowing processing of absentee ballots
18 while active voting was taking place. Failing to
19 keep an accurate record of who voted and introducing
20 drop boxes that had not-- there had been no statute
21 for drop boxes up until that day. Sadly, we've
22 heard it all before. And the eternal vigilance in
23 the Supreme Court have added to the chaos and
24 confusion of elections in Georgia. I call this a
25 peach jam and a hot pickle. But we've heard

1 countless, countless hours of expert testimony that
2 said without hand-marked paper ballots and optical
3 scan reading of the ballots with, with meaningful,
4 of course, cross-check and auditing, there's no way
5 these current machines can be used to allow voters
6 to know how their ballots are being read. The
7 current system violates Help America Vote Act law.
8 It-- kicking the can down the road doesn't solve
9 that legal issue of the Dominion Liberty system
10 using QR codes to tabulate votes. Kicking the can
11 down the road like SB 189 did originally just leads
12 to more chaos and confusion and distrust in our
13 election system. And now the legislature has been
14 called into special session by the governor. We
15 know what they must do, but we'll have to wait on
16 the outcome of the session to see what happens. And
17 the rumors are swirling about double-blind counting.
18 It's a notion that fails from beginning to end by
19 continuing to tabulate votes with the QR code and
20 then secondarily tabulating not ballots, but ballot
21 images. That is not legal. It's not EAC certified,
22 and it's not compliant with AVA by any means. So as
23 we all have done here, is we've taken an oath as
24 members of the State Election Board to swear to
25 support the Constitution of the, this state and the,

1 and the United States. And that means that we
2 follow the laws and, and we discharge faithfully
3 discharge the duties of this office, and we should
4 take that seriously. So we could not support
5 election conduct that's not consistent with federal
6 and state laws. I would just say it's not
7 surprising that probably we'll find troublemakers
8 that will bring lawsuits, as they have in the past,
9 to find a way to challenge whatever occurs in the
10 session. But as for that now, I don't think there's
11 anything that we need to do today.

12 SALLEIGH GRUBBS: Well, I would like to point
13 out, Dr. Johnston, that in the chairman's, you know,
14 we had the thing going back and forth, the email
15 going back and forth, and, you know, he says
16 temporary rules are not authorized in either statute
17 or rules promulgated by the board. And I did, you
18 know, send back an email and ask for our counsel to
19 say, you know, where do you get that from? And one
20 of the responses I had is the fact that this is a
21 change in circumstance since we met last time. And,
22 you know, there were similar, same rules presented
23 before that was prior to the special election for
24 Congressional District 13 that is happening in this
25 in-between time after July 1st and probably before

1 there will be any available. I mean, you're just
2 talking about a matter of days. You're telling me
3 the legislature is going to go into session on what,
4 June 18th or 17th, and then they're going to be
5 able-- that county boards of election are going to
6 be able to implement changes for the Congressional
7 13 race in the counties that that affects when they
8 start early voting the first week of July. You want
9 to talk about impossible and impracticable? That's
10 impossible and impracticable. So this board has the
11 obligation to advise counties on making
12 preparations. And, you know, waiting until the June
13 3rd meeting is going to be too late. You know, we
14 have-- the counties need direction per, you know,
15 OCGA 21-281, which is the backup system. The
16 General Assembly has already ordered us to do that,
17 to advise counties, and I don't-- I can't think of
18 any other situation that is more pressing at this
19 time. And, you know, the chairman says that the
20 rules change the way voting is conducted. We can't
21 ignore what the legislature already told us and
22 what's impossible and impracticable. There's very
23 much a picking and choosing of what rules we can
24 enforce, what rules we cannot enforce, or what rules
25 exist. And I have requested a comprehensive

1 response to this that I we haven't seen yet. And so
2 you know, it's very disturbing to me. It's very
3 disturbing to me that we are given a job that we
4 should take very seriously and following the
5 Constitution and following the oath that we take to
6 serve on this board. And yet there are those who
7 want to do anything but that. So again, I'm not
8 asking for a vote on this at this time because you
9 We're not here just to ram something through
10 without, you know, advice, full advice of the entire
11 board. In my view, I think it's very important to
12 have all views. Likewise, I think it's very
13 important that we have access to election night
14 reporting. So I put it out there for information.
15 I've posted the proposed rules on Twitter. They're
16 on the Facebook page of the State Election Board. I
17 think full transparency is the order of the day, but
18 I do think this matter needs to be taken up again
19 Very much prior to the June 3rd meeting.

20 JANICE JOHNSTON: I think our time is up. I
21 think our time is up. Member King, do you have any
22 more?

23 JANELLE KING: No

24 JANICE JOHNSTON: Nothing to add executive
25 Director Mills?

1 nothing, Ok do I hear? that's all the items on
2 our agenda thank you so much for being here and
3 discussing some of our business items and issues
4 that we are dealing with in this current election.
5 Do I have a motion to adjourn?

6 SALLEIGH GRUBBS: motion to adjourn.

7 JANICE JOHNSTON: Motion to adjourn, is there a
8 2nd?

9 JANELLE KING: 2nd

10 JANICE JOHNSTON: 2nd motion, 2nd all in favor
11 say Aye.

12

13 SALLEIGH GRUBBS: Aye

14 JaANELLE KING: Aye

15 JANICE JOHNSTON: This meeting is adjourned
16 thank you.

17 JANELLE KING: Thank you.

18

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1 CERTIFICATE.

2 STATE OF GEORGIA)

3 COUNTY OF PAULDING)

4 I hereby certify that the foregoing election board
5 meeting was taken down by me, as stated in the caption;
6 and the statements, questions and answers were reduced to
7 print by me; that the foregoing pages 1 through 81
8 represent a true, correct, and complete transcript of the
9 information given on May 14th, 2026, by the Department of
10 elections. I am not a relative, employee, attorney or
11 counsel of any of the parties; I am not a relative or
12 employee of attorney or counsel for any of said parties;
13 nor am I financially interested in the action. This
14 certification is expressly withdrawn and denied upon the
15 disassembly or photocopying of the foregoing transcript
16 of proceedings or any part thereof, including exhibits,
17 unless said disassembly or photocopying is done by the
18 undersigned certified court reporter and/ or under the
19 auspices of On the Record, LLC, and the signature and
20 original seal is attached thereto. Pursuant to Article
21 8.B of the Rules and Regulations of the Board of Court
22 Reporting of the Judicial Council of Georgia, I make the
23 following disclosure: I am a New York Certified Court
24 Reporter. I am here as an independent contractor of On
25 the Record, LLC. The firm was contacted by the DEPARTMENT

1 OF elections to provide court reporting services for this
2 election board meeting. I will not be taking this
3 Election Board Meeting under any contract that is
4 prohibited by O.C.G.A.B' 5 15-14-37(a)and(b). 6 I do not
5 have a contract to provide reporting services with any
6 party to the case, any counsel in the case, or any
7 reporter or reporting agency from whom a referral might
8 have been made to cover this Election Board Meeting. I
9 will charge my usual and customary rates to all parties
10 in the case.

11 This 23rd day of May ,2026.
12
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15
16

17 *John Sheffield*
18 -----

19 John Sheffield, CDR,CER

20 Certified Court Reporter

21 NEW YORK CERTIFIED CER 2055
22
23
24
25

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