

In the Matter Of:
GEORGIA STATE ELECTION BOARD MEETING

MEETING
February 19, 2026



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GEORGIA STATE ELECTION BOARD

MEETING

Thursday, February 19, 2026

9:35 a.m.

Historic Barrow County Courthouse

30 North Broad Street

Winder, Georgia 30680

Brandon Roberts, GA-CCR, CER, CDR

APPEARANCES

John Fervier, Chair

Janice Johnston, M.D., Vice Chair

Janelle King, Member

Salleigh Grubbs, Member

James Mills, Executive Director

TRANSCRIPT OF PROCEEDINGS

CHAIR FERVIER: Call to order the February 19th -- or 18 and 19th Georgia State Election Board. This board is back in session. We will return to the agenda. We only have a -- half a page today instead of the three and a half that we dispensed with yesterday, so that's good news for everybody.

The first item on the agenda is to approve the minutes. And the board has been provided with minutes from the October 22nd, '25 through the -- and from the November 12th, 2025 meeting. If the board would take a minute to look through the October 22nd, 2025 meeting notes. And are there any questions pertaining to those notes?

And I believe we will expect that Member Grubbs will not be voting on these minutes, as she wasn't with us at the time and was sitting on the other side of the -- over there, so.

MS. GRUBB: I will be glad to recuse myself from the vote on that.

CHAIR FERVIER: Are there any questions from the other board members pertaining to the minutes from the October 22nd, 2025 meeting?

VICE CHAIR JOHNSTON: No questions, Mr. Chair. Is Ms. Ghazal here today?

1 CHAIR FERVIER: No. She's still out of town
2 on business, I believe. And I haven't confirmed that.
3 But I think that she wasn't available either day when
4 she -- when I requested she requested -- when she told
5 us about that. So any -- if there are no questions or
6 comments related to the October 22nd, the chairman will
7 entertain a motion.

8 MEMBER KING: I make a motion to approve the
9 minutes.

10 CHAIR FERVIER: We have motion to approve the
11 minutes from the October 22nd, 2025 meeting. Is there a
12 second?

13 MEMBER GRUBBS: Second.

14 CHAIR FERVIER: We have a motion and a second.
15 Any discussion? Hearing no discussion, all in favor of
16 approving the minutes from the October, 2020 -- October
17 22nd, 2025 meeting of the State Election Board signify
18 by saying aye.

19 (Ayes were heard.)

20 CHAIR FERVIER: The chairman will also vote
21 aye. The motion had a quorum. The motion carries three
22 to zero. Those minutes are approved and are -- can be
23 posted. The next item is the -- to Approve the Minutes
24 From the November 12th, 2025 meeting. Copy for you.
25 Are there any comments or questions or concerns about

1 those minutes? The chairman would entertain a motion on
2 those minutes.

3 MEMBER KING: Mr. Chair, I make a motion that
4 we approve the minutes from November 12th.

5 CHAIR FERVIER: And we have --

6 MEMBER KING: I'm sorry. The January.

7 CHAIR FERVIER: No. November.

8 MEMBER KING: Yes. Sorry. November 12th.

9 CHAIR FERVIER: November 12th.

10 MEMBER KING: November 12th.

11 CHAIR FERVIER: We have a motion to approve
12 the November 12th, 2025 minutes for the State Election
13 Board. Is there a second?

14 MEMBER GRUBBS: Second.

15 CHAIR FERVIER: We have a motion and a second.
16 Any discussion? Hearing no discussion, those in favor
17 of approving the minutes for the November 12th, 2025
18 minutes for the State Election Board signify by saying
19 aye.

20 (Ayes were heard.)

21 CHAIR FERVIER: Any opposition? Hearing no
22 opposition -- I'm sorry. The chairman also votes aye in
23 order to have a quorum. Motion carries, three to zero.
24 Thank you. The next item that's on the agenda's is Old
25 Business. The first item is update on the subpoena for

1 the 2020 election documents and the ballots from Fulton
2 County. Who added that to the agenda?

3 MEMBER KING: Both of us. All of us.

4 MEMBER GRUBBS: All of us, you know, in the
5 board.

6 CHAIR FERVIER: Comments or questions from the
7 board related to that topic?

8 MEMBER KING: Yes, Mr. Chair. I don't mind
9 starting. I haven't made a public comment around my
10 thoughts surrounding the Fulton County seizure that took
11 place and so I wanted to provide that today. I've
12 written them out, so I'm just going to read my notes if
13 that's okay.

14 CHAIR FERVIER: Please.

15 MEMBER KING: I think by now everyone is aware
16 that -- of the FBI served and seizure that took place a
17 few weeks ago. From day one, before anyone knew what
18 was in the warrant, the narratives begin to swarm, which
19 we all begin to hear. While it was public knowledge
20 that I was contacted by the bureau, I had no idea the
21 seizure was going to happen or when it was going to
22 happen. But I hoped for it because as you know, we also
23 subpoenaed for those same documents.

24 But let me tell you why. When I joined this
25 board, Speaker Jon Burns gave me one requirement, and

1 that was to do the right thing. That was my only
2 mission. And I knew that I had a lot to learn. I knew
3 that there were opposing perspectives and a deep-seated
4 mistrust in our system.

5 But what I did not expect was the number of
6 people who would insist that the election was perfect
7 and one of the best in the country, yet cannot explain
8 how the process actually works once the ballot leaves
9 the voter's hand. That's where I felt like I could
10 assist the most. I'm here to shine a light on issues
11 that have stayed in the dark, that have kept people in
12 the dark.

13 Who you vote for is the only secret part of
14 the election. Every other step must be transparent and
15 it must be easy to understand. So you can't do your
16 duty as a citizen if you don't have that understanding.
17 So to be clear, we are not here because of conspiracy
18 theories. We're not here because of the sore loser
19 activists. We're not here because a little bit of fraud
20 that wasn't enough to change the outcome. And we're
21 certainly not here because of some power trip to target
22 Fulton County.

23 We are here because our election has been
24 questioned for a long time, well before 2020. In 2018,
25 Stacey Abrams distrusted the process, claiming of vote

1 flipping, hacking vulnerabilities, and machine crashes.
2 Many of the same people who are upset with her
3 questioning today -- sorry -- many of the same people
4 who were upset with us questioning the elections today
5 supported her back then.

6 We fast forward to 2020, and we all went to
7 sleep with Trump in the lead. Our Secretary of State
8 even confirmed in an interview on election night that
9 Trump's lead was significant. We woke up, and the lead
10 was gone. That raised questions, and it should be
11 rightful questions. It's okay to question.

12 After the first hand count, it was discovered
13 that four counties forgot to upload 6,000 ballots, 1,300
14 of which were from Trump. Over the course of three
15 audits, we got three different outcomes. Unfortunately,
16 the machine audit said Biden won by 12,670 votes. The
17 hand counts showed a lead by 12,284 votes. The
18 certified vote landed at 11,779 votes.

19 Our job is to make sure your vote is not only
20 cast without barriers, but that it counts. Your vote is
21 disqualified if it isn't cast, but it's also
22 disqualified when it's cast -- when it's cast, it isn't
23 counted properly. It's disqualified when a coding error
24 causes you to vote for the wrong candidate. It's
25 disqualified when someone who isn't legal votes 23 times

1 in our elections and votes on how your taxes are to be
2 spent.

3 It's disqualified when 300 people vote in your
4 city race without you knowing -- giving you a council
5 member you did not elect. It's disqualified when a
6 neighboring voter decides who your mayor will be,
7 effectively canceling your voice.

8 We are here because the public asks.
9 Americans did their duty. They researched, they asked
10 questions, they demanded answers. Because of that, we
11 now know that there were ballots that were double
12 counted and tabulated.

13 As we can all see, the recounts were off.
14 Thanks to the efforts of many, we now see that our voter
15 rolls are inflated statewide and they were inflated when
16 nearly 7 million ballot applications were sent to every
17 registered voter, meaning a house where one person lives
18 could have received multiple applications.

19 This opens us up to ballot harvesting like
20 never before. But this isn't a problem that is new.
21 I've worked with Georgia politics for over a decade. I
22 remember door knocking years ago and noticing that some
23 addresses on my app had upwards of 13 names associated
24 with them. And when I knocked on the door and spoke to
25 the resident, I was told that only two people lived

1 there, and that the rest of the people on the list were,
2 were previous tenants.

3 That was over a decade ago, yet there's still
4 a consensus from some that we are not to question our
5 elections or our elected officials, which could not be
6 further from the truth. Protecting this republic isn't
7 just the job of a politician. It requires personal
8 responsibility from every one of us.

9 This is -- there is a universal rule in
10 politics that when the people drop the ball on our duty,
11 the government will always be there to pick it up, and
12 we are not going to like how the government carries it.
13 Voting isn't just a choice, it's a duty. It is the
14 price of a mission for a free society.

15 And right now -- and right now, we are being
16 forced to play the role of the adult in the room. And
17 let's be honest, being the adult is difficult. It means
18 making the tough calls. It means demanding standards
19 when everyone else is shouting for convenience.

20 Americans have drawn the line in saying; It is us saying
21 that our sovereignty is not up for negotiation and our
22 votes are not up for erasure. The only thing that
23 separates us from banana republic and our -- is our
24 ability to choose our own leaders.

25 And right now, the level of vulnerability in

1 our system puts all of our votes at risk. This isn't
2 because our election workers are bad people, it's
3 because they have bad leadership. As a result, they are
4 underfunded, overworked, and left to fend for themselves
5 as if we're living in the wild, wild west.

6 The days of defending those we elected to
7 represent us are over. We are here to trust the word --
8 we are not here to trust the words of politicians who
9 seek their next office the moment they win the first
10 one. We are here to hold them accountable to the job
11 that we hired them to do. We are not the bad guys,
12 those who break their oaths are.

13 The moment we start listening to weak
14 narratives and parroting misleading talking points is
15 the day we hand over our power and lose this country.
16 It's time to stop making excuses for a broken system and
17 start verifying the one thing that keeps us all free.
18 And that's the American vote. And if you don't guard
19 it, if we -- if we don't guard the gate, nobody will.
20 That's my thoughts.

21 CHAIR FERVIER: Okay. Thank you, Member King.
22 Any further questions, comments on this topic?

23 MEMBER GRUBBS: Mr. Chairman, I have a lot of
24 thoughts on this, for the subpoena for the documents.
25 And I do listen to the left and to the right. Because

1 when -- for example, yesterday I had someone call and
2 say, Thank you for treating the people for Morgan County
3 with such respect and compassion. And when people are
4 up here giving public comment, I don't look at them as
5 what their party -- if we registered by party here in
6 Georgia, which we don't. But if we did, I don't look at
7 people through the lens of whether they're left or
8 they're right. I look at what's right and what's wrong.

9 And before I came on this board and there were
10 the subpoenas issued to Fulton County and they had not
11 complied, and then it said, Well, we were going to
12 comply. We were going to. We were about to.

13 And there's criticism overlooking at the 2020
14 election. For me, it's not about the 2020 election
15 solely, it is about everything from 2020 before and
16 forward. Because clearly, with the cases that we hear,
17 things are not okay. Things are not okay in Fulton
18 County. And so, yes, I agree. I was relieved when the
19 action was taken because clearly, our subpoena was being
20 disregarded. It was being fought in court and there was
21 no resolution.

22 So what do you do when a county won't comply
23 with the process, when we as a State Election Board are
24 charged with certain duties by our legislature and we
25 were just given the responsibility by the legislature to

1 do what we do and then the county won't comply?

2 And unfortunately, you know, I was thinking
3 about this yesterday as we had lunch together. You
4 know, we've had allegations of being dysfunctional and
5 that kind of thing. And I thoroughly enjoyed spending
6 time with everyone yesterday. We are all good people
7 just trying to do the right thing. And at the end of
8 the day, we might vote differently, but we're trying to
9 follow a process.

10 And if Fulton had followed a process, the DHA
11 would never have gotten involved. And the fact of the
12 matter is, they had already been to court to destroy the
13 records, and I find it so ironic that they're fighting
14 so hard to get them back. And so it makes me think,
15 what else is there that they don't want the public to
16 know? What else is there that they do not want you, the
17 we, the people, the consent of the governed -- what else
18 is there that they do not want you to know? And
19 unfortunately we don't have an answer to that at this
20 point in time.

21 And I agree with Member King. It's a
22 reflection of core leadership. We deserve transparency.
23 We deserve honesty. And that's not partisanship. But
24 unfortunately, the fourth arm of our activities here is
25 the press and the media. And unfortunately, the press

1 and the media are sensationalizing this and they are not
2 printing the entire truth of what we say. And so my
3 father taught me as a child, never pick a fight with
4 someone who prints newspapers and buys ink by the
5 barrels, right? And there seems to be an unending depth
6 of ink that they will use to print one side of the
7 story.

8 And so I'm asking the press today, tone it
9 down. If you're going to report on the story, if you're
10 going to report on the Department of Justice, if you're
11 going to report on the FBI, if you're going to report on
12 Fulton County, tell the whole truth and nothing but the
13 truth. That's your job. Your job is to report the
14 news. Your job isn't to take sides. But unfortunately,
15 in this day and age, we have the press taking sides --

16 UNIDENTIFIED SPEAKER: And the board, too.

17 MEMBER GRUBBS: -- and broadcasting a
18 narrative that is so one-sided, you are going to get
19 somebody hurt if you don't stop it. Because yesterday,
20 we saw the -- you know, that there was going to be a
21 press conference with faith leaders. I trust that that
22 went okay. I don't really know.

23 This is not something that should be
24 sensationalized. This is something that we, the people
25 deserve honesty, truth, sunlight, transparency, and

1 accuracy in our elections. That's what we want to see.

2 So thank you, Member King, for your comments.

3 CHAIR FERVIER: Member Johnston, do you have
4 some comments?

5 VICE CHAIR JOHNSTON: Yes.

6 CHAIR FERVIER: Please.

7 VICE CHAIR JOHNSTON: Let me say a few words
8 about the State Election Board subpoenas for Fulton
9 County election documents and ballots from the November
10 2020 general election. This has been in the news a lot,
11 and it would be the elephant in the room if we did not
12 say something about it.

13 First, the Georgia legislature is tasked under
14 the United States Constitution and the Georgia
15 Constitution with running elections and setting, at
16 least for federal elections, the manners of those
17 elections. The Georgia legislature has created the
18 State Election Board, this body, to conduct
19 investigations and make determinations with respect to
20 violations of its Election Code.

21 The Georgia legislature has also created the
22 county Boards of Registration and Elections with
23 specific responsibilities for election administration in
24 those counties. Contrary to what some people think,
25 including Robb Pitts, the Chairman of the Fulton County

1 Commission, the election board in Fulton County is not
2 beholden to the county in fulfilling its duties. In
3 fact, the county is charged by the legislature with very
4 few responsibilities and the home rule amendments to the
5 Georgia Constitution specifically do not apply to the
6 conduct of elections or ownership and retention of
7 election documents and ballots.

8 It is important to understand this basic
9 framework in order to try to make sense of the current
10 craziness that is going on. The 2020 election generated
11 an unprecedented number of complaints, investigations,
12 and cases to be heard by the State Election Board. Many
13 citizens filed complaints for the State Election Board
14 regarding the 2020 election.

15 It took citizens years to obtain election
16 records. In a significant number of cases, the
17 legally-required election documents were simply not
18 provided or retained. Let me repeat that. Election
19 documents required to be preserved under state and
20 federal law were not maintained. Intentional
21 destruction of election documents is a felony under
22 federal and state law.

23 We do not know why election documents are not
24 readily available, but we do not want a system where
25 documents required for transparency and accountability

1 are not kept. We do not want a system where county
2 officials and sometimes state officials think it is okay
3 to override or not preserve records.

4 In some cases, the State Election Board needs
5 basic election documents to investigate allegations of
6 election code violations. It also appears that some
7 complaints, cases, or investigations were inexplicably
8 delayed or even dismissed without the knowledge or
9 approval of the board. Many cases were dubbed
10 unsubstantiated only because the legally-required
11 election documents were not provided, even by repeated
12 requests and subpoenas.

13 The State Election Board simply addresses
14 cases brought to the board by the Secretary of State
15 investigators and if indicated, proceeds with further
16 investigations, like what resulted from the Rossi/Moncla
17 complaints and the David Cross complaint.

18 The governor called for an investigation of
19 the Rossi complaint and the State Election Board
20 complied. However, Fulton County did not comply with
21 providing election documents, correcting duplicate
22 counts of ballots and votes, safeguarding ballot
23 standard calculator documents, working out back room
24 pre-arranged deals before the case was heard, providing
25 usually agreed-upon monitoring, preserving, and

1 retaining election records, or responding to subpoenas,
2 to name a few deficiencies.

3 Every effort to complete the investigation of
4 the Rossi allegations was met with interference, delay,
5 and obstruction. So the State Election Board served two
6 sets of subpoenas -- please inform Lauren Collins; he's
7 confused about that -- to Fulton Clerk of the Court and
8 Fulton County DRE because as predicted, a do-si-do dance
9 was performed by the lawyers in Fulton County to avoid
10 access to the election documents and ballots.

11 The first set of subpoenas was for specific
12 election documents served on November 5th, 2024. The
13 second set of subpoenas was for the ballots and oath
14 envelopes sent on October 6th, 2025. After more than a
15 year of interference, frustration, and legal
16 obstruction, the State Election Board called upon the
17 assistance of the Secretary of State, the State Attorney
18 General, the Federal -- and the Federal Department of
19 Justice.

20 The request was made to the DOJ. You heard
21 our request to the SOS and AG for assistance -- and took
22 notice of the Fulton County election irregularities that
23 had been alleged but not investigated and intervened.
24 The alleged violations apply to state and federal law,
25 and such deviations from the election code deny the

1 equal protection right of voters in the other 158
2 counties in Georgia.

3 On January 28th, with no advance notice to me
4 or the rest of the State Election Board, but apparently
5 known to the Fulton County DRE and other Fulton County
6 officials, the FBI acted independently, served a search
7 warrant, and seized the 2020 election documents and
8 ballots for their investigation.

9 On that day three SEB, State Election Board
10 members helplessly watched from afar as the FBI served
11 its search warrant while scads of county officials
12 rushed past three state election officials into the
13 election warehouse. To do what? Interfere, obstruct.
14 And where are the 50 missing boxes of election
15 documents?

16 The howls and wails of Fulton County
17 elections, Fulton County Commissioners, Fulton County
18 operatives Norm Eisen, Abbe Lowell, Marc Elias, are
19 curious and petulant. After all, these are old election
20 documents that the clerk of the court wanted to destroy
21 a year ago.

22 And now Robb Pitts and Norm Eisen plan to
23 spend millions of dollars of Fulton County -- Fulton
24 County taxpayer money just to claw back from the FBI
25 some ballots you shouldn't even care about, really.

1 And the Fulton County DRE appears to have
2 illegally filed another illegitimate lawsuit, this time
3 against the United States of America, to get the
4 documents that they just told the FBI on January 28th
5 were not their documents. Why? Is this just a campaign
6 tactic to get out the vote? As Shakespeare said, The
7 lady doth protest too much, methink.

8 Suffice it to say, I do not think the State
9 Election Board would have ever gotten the subpoenaed
10 documents or ballots. The State Election Board
11 subpoenas are still active and will not be dismissed. A
12 spoliation letter has been sent to both entities to
13 preserve any subpoenaed documents returned from the FBI
14 for investigation.

15 As far as the State Election Board goes, we
16 hope the questions that have been asked for years may
17 finally be answered, the State Election Board
18 investigation completed, and the lessons learned to
19 prevent another 2020-type election.

20 In the words that the Spanish-American
21 philosopher George Santayana, Those who cannot remember
22 the past are condemned to repeat it. Or as we stated by
23 Winston Churchill, Those who -- those that failed to
24 learn from history are doomed to repeat it. Thank you.

25 Mr. Chair, I do have one bit of business

1 regarding the spoliation letter.

2 CHAIR FERVIER: Is that pertaining to this
3 topic?

4 VICE CHAIR JOHNSTON: Yes.

5 CHAIR FERVIER: Okay.

6 VICE CHAIR JOHNSTON: I would like to motion
7 to ratify the sending of the spoliation letters to Ch
8 Alexandra, Fulton County DRE, and Nadine Williams for
9 the retention of the documents given and when they're
10 returned from the FBI.

11 CHAIR FERVIER: Is that a motion?

12 VICE CHAIR JOHNSTON: That is a motion.

13 CHAIR FERVIER: Dr. Johnston made a motion to
14 ratify the sending of the spoliation letters to Ch
15 Alexandra and Fulton County?

16 VICE CHAIR JOHNSTON: Fulton County.

17 CHAIR FERVIER: Is there a second?

18 MEMBER GRUBBS: Second.

19 CHAIR FERVIER: There's a motion and a second.
20 Any discussion? All those in favor, signify by saying
21 aye.

22 (Ayes were heard.)

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

25 MR. MILLS: Mr. Chairman, are you going to

1 vote?

2 CHAIR FERVIER: No. The chair is not voting.

3 MR. MILLS: Okay. I just noticed you voted a
4 couple times, several times yesterday and actually made
5 a couple of motions --

6 CHAIR FERVIER: Well, I --

7 MR. MILLS: -- on things, but you don't want
8 to vote on this. I just want to make sure. It's kind
9 of an important measure.

10 CHAIR FERVIER: Well, I voted when a quorum
11 was needed or when there was a case that I felt was so
12 outrageous that it deserved significance. It
13 --typically, this chair does not vote. And you know
14 that. I rarely ever vote on anything unless I
15 specifically want to make a point on a particular case
16 or if it's required because I don't have a quorum
17 available. So that's been my policy, long- standing
18 policy, so.

19 MR. MILLS: Right. But so you said, unless --
20 typically, you don't vote unless there's something
21 outrageous. So you don't feel this is outrageous one
22 way or the other in regards to if the documents come
23 back, when they come back, whether or not this committee
24 should pursue?

25 CHAIR FERVIER: The majority of the board --

1 the board has spoken on this. There's no need -- reason
2 for me to vote on this. I have not opposed it. I have
3 done as I've always done, which is stay silent on almost
4 every issue that's come before this board, so.

5 MR. MILLS: Mr. Chairman, I'm going to have to
6 take issue with that. And the reason I'll take issue
7 with that is because I spoke with -- we've only had two
8 executive directors. I'm one. We had one before me.

9 In researching the Rossi/Moncla case, the
10 former executive director shared with me that he went
11 into the Secretary of State's office during that time
12 period.

13 You then turned to him and you said to him,
14 You can't come in here.

15 He said, What? What do you mean I can't come
16 in here?

17 You can't come in here -- into the Secretary
18 of State's office, your executive director. You then
19 went into the office, according to his testimony. When
20 you came out of the office, you said to him, We're not
21 going to investigate Raffensperger and we're not going
22 to investigate Fulton County and we're not going to deal
23 with the 2020 elections anymore.

24 That executive director then said to you,
25 but -- but Mr. Chairman, you -- you have a committee.

1 I'm telling you we're not going to do it.

2 Now, that's his testimony to me. So don't
3 tell me that you did not obstruct. That is obstruction
4 when you tell your executive director that he cannot
5 come into another government agency. Now, what this
6 board decides to do is the will of the board. But you
7 don't have a right to say that.

8 Now, you have a right to choose as chairman
9 whether you want to vote on any measure. But Mr.
10 Chairman, I think you were entirely wrong to tell that
11 executive director he couldn't come in. What was --
12 what was being discussed so important that your
13 executive director could not follow you into the
14 Secretary of State's office and talk?

15 CHAIR FERVIER: Well, your allegations are
16 false, okay? Your allegations are false because I told
17 him that I did not want him attending that because I
18 wanted to know what I was getting myself into. This was
19 the very beginning of my tenure as chairman here. And I
20 wanted to have a private conversation with the
21 representative of the Secretary of State's office to
22 find exactly what I was getting myself into when I took
23 over this.

24 Because I -- after I took over, I heard
25 multitudes of negative comments about me being

1 associated with this board, okay? I wanted to find out
2 what I was getting into from their standpoint. And that
3 was the sole conversation that took place. That will be
4 confirmed by Ms. McGowan, who's was a part of that
5 conversation.

6 What you stated happened afterwards did not
7 happen. And you won't find anybody that will confirm
8 that that happened because nobody had heard that happen.
9 It did not happen. I did not tell him that. I deny it,
10 and I don't care what you say. Smile all you want to.
11 But it did not happen.

12 MR. MILLS: Well, Mr. Chairman, you have --
13 you know, there's always two sides to every story, and
14 we have to take you at what you're saying today. I also
15 would say that a former executive director, Mike Cohen
16 -- I do not believe for one second that he lied to me.
17 And I believe he probably has recorded testimony
18 somewhere that will probably stand behind that.

19 CHAIR FERVIER: Bring it forward. Bring it
20 forward. There's no recording of that. So bring it
21 forward. I did not tell him that. So you ran for it.

22 MR. MILLS: Well --

23 CHAIR FERVIER: You know, it --

24 MR. MILLS: I -- I'm just saying, look. Let's
25 just get to the truth and let's don't obstruct. That's

1 all we want. And I think that's all this board wants.
2 This whole exercise that the FBI went to a federal
3 magistrate judge with a criminal warrant. They didn't
4 come to the SEB, they went to a federal magistrate
5 judge. The federal magistrate judge looked at the
6 warrant and apparently must have said, There's questions
7 that need to be answered. So they granted the criminal
8 warrant. Now, to criticize anybody in America for
9 asking questions about an election process when there
10 are issues come up, I want you to -- everybody in this
11 room to pause and think about what happened here
12 yesterday.

13 I listened to Fulton County. When I ask --
14 it's been stated that there are hundreds of voters in
15 your voter system that have the year date of 1900. It
16 says they were born in 1900 on Fulton County voter
17 rolls. And Fulton County has made progress in that area
18 by reducing that. And they reported yesterday -- it's
19 all on video. It will all be on court transcript.
20 Think about this. They reported, we've gotten it down
21 to 200-and-something. Are you kidding me?

22 You've gotten it down to 200-and-something
23 people on your voter rolls that were born in 1900. That
24 would be a 126-year-old person. Wow. I just want you
25 to think about the irony of that. And I would say, I

1 congratulate Fulton County for bringing that number
2 down. I hope they'll continue to bring it down to zero
3 unless somebody was really born in 1900, and if they
4 were, I would say this committee ought to bring them
5 before and honor them for being a voter at 126 years
6 old.

7 But I dare say the press will not write one
8 word of what I just said. Instead, they'll say about
9 campaigns, about -- this is not about Republican. It's
10 not about Democrat. It's not about Trump. It's not
11 about Biden. It's not about overturning an election
12 from any previous year. What it is about is election
13 integrity throughout the entire State of Georgia. Not
14 any -- just one county, every county.

15 And you saw that if you were here yesterday.
16 It's not only Fulton. We have other issues that need to
17 be dealt with. And we're dealing with them one at a
18 time. And Mr. Chairman, all due respect -- and I
19 congratulate you for the way we moved through the cases
20 yesterday. You should have been here on December 9th
21 and 10th when we moved through 160 of them. It was a
22 long day then, too.

23 But this board has made tremendous progress,
24 and I want to challenge the press with one great
25 challenge here today. When I came on as executive

1 director, it was being printed in the AJC and all the
2 media that there were 315 cases in backlog with the SEB.
3 As of yesterday, guess what? All of those backlogged
4 cases have now been adjudicated. Since June, since June
5 to now, every one of them. That's an applause for this
6 board. I mean, that is a magnificent accomplishment.
7 And that means we're moving towards getting better. Are
8 we where we need to be? No way. But we're getting
9 better.

10 CHAIR FERVIER: For the record, for those of
11 you that may not know this, this isn't the first time
12 that the executive director has publicly attacked me in
13 public and in private. There are multiple, multiple
14 emails where he has called me a liar. He's called me a
15 liar in public and told people how dishonest I am. So
16 this is nothing new today. I've gotten used to this.

17 The executive -- the former executive director
18 has done the same across the state. This is nothing new
19 to me. You know, they can say what they want to. I'm
20 not going to sit here and try and defend myself on
21 anything. I don't need to. People have known me for
22 decades, know what kind of person I am. People that
23 know me and are friends of mine know what kind of person
24 I am. I don't have anything to prove to anybody. And
25 they can make whatever comments they want to. Let them

1 have it. So.

2 MEMBER KING: Well, Mr. Chair, we can't ignore
3 what we've experienced. So regardless of whether you
4 believe this is unfair or not, I was informed of the
5 exact same story, and I was told that the exact same
6 story that our Executive Director Mills shared. And I
7 said -- that was presented to me in the exact same way,
8 way prior to Executive Director Mills even being
9 considered. Because we had an executive director.

10 So to assume that a person who's sharing their
11 experience, their encounter with several different
12 people in the exact same way, to assume that they're
13 lying and that nothing happened, the entire story is
14 just fabricated, I think is a bit unfair. I think it's
15 bit delusional.

16 We know that there was a conversation.
17 Whether you agree with what was said or not, that's on
18 you. But there was a conversation. And I can only
19 speak to my own personal experiences. I have yet to had
20 a conversation with anybody in the Secretary of State's
21 office after trying to make that happen. You are the
22 only one that communicates with the Secretary of State's
23 office.

24 CHAIR FERVIER: Well, that same individual
25 also accused me of attacking women.

1 MEMBER KING: Well, I don't know about that.
2 I'm not speaking about that.

3 CHAIR FERVIER: Accused me of attacking women.
4 And I took that and showed it to at least 20 women that
5 have known both of us for decades. And they found it
6 just hilarious at that time.

7 MEMBER KING: I'm not talking about that.

8 CHAIR FERVIER: No. But it's -- but it's
9 another -- it's coming out of the same person. And so,
10 you know --

11 MEMBER KING: Well, address -- okay. Well,
12 address the second part of what I said.

13 CHAIR FERVIER: Well, I have had a continuing
14 relationship -- not so much lately with the Secretary of
15 State's office, because as I've explained in previous
16 meetings, I felt it necessary that this board maintain a
17 relationship with the Secretary of State's office.

18 MEMBER KING: This board?

19 CHAIR FERVIER: This board.

20 MEMBER KING: Not you, just you.

21 CHAIR FERVIER: Well --

22 MEMBER KING: The board.

23 CHAIR FERVIER: If --

24 MEMBER KING: The board does not have a
25 relationship. It's obvious.

1 CHAIR FERVIER: If they want to deal with me,
2 then I will choose to deal with them like I choose to
3 deal with anybody else. And so they have -- I have
4 continued having conversations -- not as much lately
5 since this board has objected to it -- with them. I had
6 a lot of conversations prior with them, and I felt it
7 was necessary for us to have a continuing relationship
8 with the Secretary of State's office. I don't apologize
9 for that.

10 MEMBER KING: I just -- I digress. I just
11 want to make it very clear that I don't want to paint a
12 picture as if what Executive Director Mills is sharing
13 is not happening. There has been obstruction. There
14 has been a level of difficulty in barriers put up on
15 this entire board. And the only access point we've ever
16 had was you. So that's a fact.

17 CHAIR FERVIER: You have a right to talk to
18 them as much as I do. If they choose not to talk you --

19 MEMBER KING: They don't talk to me because --

20 CHAIR FERVIER: That's not my decision.

21 MEMBER KING: Well, the response to me is, we
22 can only speak to your chairman.

23 CHAIR FERVIER: That's not my decision.

24 MEMBER KING: Well, you -- well, you're not --
25 you -- you're not -- you're not fighting it, though.

1 You're not defending us.

2 CHAIR FERVIER: Any member of this board can
3 call them anytime they want to or anybody else in this
4 --

5 MEMBER KING: Well, Mr. Chair, it would be
6 great if you did and you told them that they should
7 communicate with us. It would be great if you would
8 defend us as much as you defend them. That's all. Just
9 give us the same energy that you meet them with. Give
10 it to us. That's all we're asking for.

11 CHAIR FERVIER: Well --

12 MEMBER KING: That's all we're asking for.

13 CHAIR FERVIER: You don't see me sitting up
14 here defending them time and time again.

15 MEMBER KING: I don't -- I'm done. I just --
16 I said what I said.

17 CHAIR FERVIER: Okay. Any other comments on
18 this topic?

19 VICE CHAIR JOHNSTON: Well, while we're on the
20 topic, I would mention my unhappy experience with you
21 regarding a lawsuit that involved me personally and the
22 State Election Board and your curious and unusual email
23 that suggested potential for a lawsuit before the
24 lawsuit was even filed that -- concerning an open
25 records request where you communicated with the

1 Plaintiff, the entity that filed the lawsuit, that when
2 I asked for a minimal assistance, like obtaining your
3 emails in regards to my defense of the lawsuit, you
4 refused.

5 You happily call and communicate with
6 Plaintiff's attorneys, but you left me out in cold. And
7 I do not appreciate that. And while -- I guess while
8 we're on the -- on the topic, I would just like to
9 express my disappointment in you.

10 CHAIR FERVIER: Noted. Anything else?

11 MR. MILLS: Yes, sir. For the record, I would
12 like to say that I've served almost 30 years in Georgia
13 State government. I've been honored and blessed in a
14 lot of ways. I chaired committees, I've coached. I --
15 I've been vice chair. I -- I've been secretary of some
16 of the most powerful committees in the Georgia General
17 Assembly, which means nothing. But it means something
18 to what I'm about to say.

19 I've never served with a more honorable female
20 person than Ms. Jan Johnston, the vice chair on this
21 committee. She's one of the most honorable female
22 people I've ever served with. And I -- I've seen the
23 false attacks. I've seen the -- you know, been on the
24 inside of some of this lawsuit. I called the chairman,
25 asked him to please, you know, help a fellow board

1 member out.

2 All you had to do was provide some emails, but
3 you refused to do that. She wasn't trying to hide
4 anything. And we -- we've gone through all that. And,
5 you know, there's always struggles on every committee
6 and every process. That's kind of what makes the world
7 go around. But truth in the end will stand. And I can
8 -- I -- I'm convinced that it will.

9 And I want to say the Vice Chair Jan, Janice
10 Johnston, you should have -- in my opinion you should
11 have never had to go through that ordeal like you did.
12 And I've said this to the AG's office. They should have
13 been right there at your side. And I don't know how all
14 that decision process went down, but I do know we have
15 further in the agenda about officers and director's
16 insurance, and we'll talk about that when we get there.

17 CHAIR FERVIER: Let me just say pertaining to
18 the emails that my emails from day one have been
19 accessible. They've had my access to those emails
20 continuously from the previous email, Gmail address to
21 the current email address. They've always had the
22 password to them. And I've been open with the emails
23 from day one of being on this board, so.

24 MR. MILLS: So did you share them with Vice
25 Chair Jan when asked?

1 CHAIR FERVIER: What -- which emails are you
2 talking about? I don't think I have any emails with
3 American Oversight or whoever --

4 MEMBER KING: Just say no.

5 CHAIR FERVIER: I don't -- I don't even know
6 what -- show me the question that was asking -- my
7 responsive.

8 MEMBER KING: Just say you didn't do it, and
9 we can move on. We already know. This is getting drawn
10 out for no reason.

11 CHAIR FERVIER: What? I'm not drawing it out.

12 MEMBER KING: Well, you -- we already know you
13 didn't do it.

14 CHAIR FERVIER: Okay.

15 MEMBER KING: So, you know. All right.

16 MEMBER GRUBBS: Mr. Chairman?

17 CHAIR FERVIER: Yes.

18 MEMBER GRUBBS: May I say something, briefly?

19 CHAIR FERVIER: Oh, I hope so. Please.

20 MEMBER GRUBBS: I have limited perspective
21 being on the board, since this is my second meeting.
22 And what I'm going to say is, I have a little different
23 experience -- not looking at partisanship, but in my
24 experience serving in the Republican Party in a
25 committee structure where I was the chairman for four

1 years in Cobb County.

2 And in that experience, in that environment,
3 you have one another's backs. And that goes for all the
4 members. Like I said, you might have agreements,
5 disagreements, but you have each other -- each other's
6 backs.

7 And politics is very interesting because you
8 see things happen for political purposes that don't
9 serve the people. And my interest in serving on this
10 board is to serve the people of Georgia, not the
11 Republicans in Georgia, not the Democrats in Georgia,
12 not the independents in Georgia, not the, you know, XYZ
13 party in Georgia, but to serve the people of Georgia in
14 honesty and truth.

15 And what I expect going forward with this
16 board is that we have each other's backs, that we serve
17 one another, and that we are honest, that we are open,
18 and that we are defensive of this board. Because the
19 way I see it is this board has a tremendous duty and
20 obligation to the people of Georgia aside from political
21 agendas of the Attorney General's office, of the
22 Secretary of State's office, of the governor's office,
23 of the legislature. This is a body created by the
24 legislature, and it gives a broad approach of serving
25 the people of Georgia.

1 And so whatever issues we have, I expect us to
2 operate in sunlight, daylight, truth, honesty, and --
3 going forward -- and to be there for one another. And I
4 expect that of every member of this board and every
5 employee of the State Election Board.

6 CHAIR FERVIER: Any other comments on this
7 topic? Well, let's move on to the next subject, update
8 on SEB email rec of Member King.

9 MEMBER KING: I didn't add this to the agenda.

10 CHAIR FERVIER: If you want to --

11 MEMBER KING: But --

12 CHAIR FERVIER: Do you want to have an
13 opportunity to --

14 MEMBER KING: I just want to know, have you
15 gotten the emails.

16 CHAIR FERVIER: Well.

17 MEMBER KING: Yeah.

18 CHAIR FERVIER: Well, you had asked the
19 question about the -- okay. It -- the next item is the
20 Update on Missing --

21 MEMBER GRUBBS: Wait. Excuse me.

22 CHAIR FERVIER: -- Email Records of Addison,
23 Sheila, Member Mashburn.

24 MEMBER GRUBBS: Mr. Chairman, have we received
25 that information?

1 CHAIR FERVIER: After the last board meeting,
2 I asked them to add Addison and Sheila. And I was told
3 that that request was made of their IT people. And I
4 haven't done anything since then. Member Mashburn, the
5 Secretary of State does not have Member Mashburn's email
6 addresses or it doesn't have his emails because he did
7 not have a state email address. And so those would have
8 be obtained separately from Member Mashburn, who -- I
9 think I've talked to him two or three times, ever. He's
10 not a acquaintance of mine, so he'll need to be reached
11 out to.

12 I did talk to him once after the email
13 question came up and he said he'd be willing to download
14 them and provide them if needed. So that was my only
15 conversation with Member Mashburn about it, so.

16 MEMBER GRUBBS: And you're --

17 CHAIR FERVIER: And the -- Addison and Shiela
18 were both temporary employees and my understanding is
19 that their emails would be very limited, but they -- the
20 Secretary of State was willing to provide them, so.

21 MEMBER GRUBBS: Whether or not -- also, what
22 is the status -- and this was before me, so please
23 forgive me for asking if it's already been resolved --
24 but the text -- the text of Alexandra Hardin and the
25 emails of Ms. Hardin and all of that.

1 CHAIR FERVIER: Her emails were provided. My
2 understanding is that when her government- issued phone
3 was turned in, that it was -- I was told that it was
4 wiped. I don't -- I don't know.

5 MEMBER GRUBBS: Have we seen any evidence of
6 that?

7 CHAIR FERVIER: I have not.

8 VICE CHAIR JOHNSTON: So that's a destruction
9 of an -- of a document?

10 CHAIR FERVIER: I -- all -- that's all I was
11 told. I don't know anything factual behind that or
12 anything besides that, so.

13 MEMBER GRUBBS: So the -- herein is part of
14 the problem, again, with the communication with the
15 Secretary of State's office -- is that now Ms. Hardin
16 works for Secretary of State Ron Raffensperger. And we
17 have a lack of emails. We have a lack of text messages.
18 We have a lack of information.

19 And something very interesting is that I was
20 going through a deposition, actually, of the former
21 Elections Director for the state, Mr. Chris Harvey. And
22 in that deposition, he testifies to the fact that he
23 told everyone in the SOS's office to preserve records
24 and how -- what a beefy IT department they had. And
25 everyone had sections on their servers where they

1 maintained information -- and not to destroy anything
2 when the 2020 election information came up.

3 So I would think that -- and he repeats in
4 there numerous times in that deposition -- it's
5 somewhere around page -- I don't know -- between pages
6 30 and 40 of his deposition, actually, in the Curling v
7 Raffensperger case that he reiterated numerous times for
8 people not to delete information.

9 So since we can't communicate with the
10 Secretary of State's office, and since we're not getting
11 the information from Mr. Mashburn, I'm thinking that
12 perhaps a subpoena would be in order to the Secretary of
13 State's office for this information, along with a
14 subpoena to Mr. Mashburn, along with a subpoena for the
15 cell phone, if Ms. Alexandra Hardin.

16 CHAIR FERVIER: Well, Member Mashburn or
17 former Member Mashburn said he's willing to provide the
18 emails. I think somebody just needs to reach out to him
19 and arrange that to occur at this point, so.

20 MEMBER GRUBBS: A subpoena's a reach out.

21 CHAIR FERVIER: Well, I mean, you can subpoena
22 him if you want to, but he hasn't -- he agrees that
23 those emails are the property of this board and he is
24 going to provide them. He told me in a conversation,
25 so.

1 MEMBER GRUBBS: Well, our email addresses are
2 right on the website. If he wants to reach out and send
3 them to us, he could do that. But again, I think, you
4 know, on this issue, I don't know.

5 Do any of the other members have any feeling
6 one way or the other on obtaining this information?

7 VICE CHAIR JOHNSTON: I very much have some
8 feeling. Alexandra Hardin was our sole employee for a
9 -- for quite a number of months. And her emails and
10 text messages were critical -- and particularly in the
11 lawsuit against the State Election Board and me
12 individually -- in which I was found to have not
13 violated the Open Records Act, that the -- that one of
14 our staff members did violate the Open Records Act.

15 However, her text message and emails are
16 important and continue to be important when we receive
17 open records requests. I certainly hope someone in the
18 Secretary of State's office has not destroyed that
19 document, her cell phone, and those text messages.

20 MEMBER GRUBBS: Would -- and to date, just to
21 be clear, we've not received any of that information.

22 MEMBER KING: We have her emails.

23 MEMBER GRUBBS: We have her emails. Okay. I
24 don't have her emails, but y'all have her emails.

25 MEMBER KING: They gave them -- provided them.

1 MEMBER GRUBBS: Okay. Well, do you feel it
2 necessary to issue a subpoena for the cell phone and
3 cell phone records?

4 VICE CHAIR JOHNSTON: If that's the only way
5 that we may obtain those, then that is what we should
6 do.

7 MEMBER GRUBBS: All right. Then I make a
8 motion that we issue a subpoena to Ms. Hardin to appear
9 at the next SEB meeting and for the Secretary of State
10 to produce her cell phone, cell phone records, and text
11 message records.

12 CHAIR FERVIER: Ms. Hardin no longer is in
13 possession of the cell phone.

14 MEMBER GRUBBS: We won't know that unless she
15 comes in and tells us that.

16 CHAIR FERVIER: Okay.

17 MEMBER GRUBBS: And to me, it's just rumor
18 until we actually get to the heart of the matter.

19 MEMBER KING: Did she hand it over to you?

20 CHAIR FERVIER: No. My understanding was when
21 she left the board, she turned it in to the Secretary of
22 State's office.

23 MEMBER KING: Okay.

24 CHAIR FERVIER: Because it was a
25 government-issued cell phone relating to SEB, so she

1 turned it back in.

2 MEMBER KING: And she got a new phone after
3 she -- working for them?

4 CHAIR FERVIER: I don't know. I don't know.
5 I don't know.

6 MEMBER GRUBBS: But why would it go to the --
7 I'm confused as to why it would go to the Secretary of
8 State and not come to us.

9 CHAIR FERVIER: Because it was issued by them.

10 MEMBER GRUBBS: But she worked for the SEB at
11 the time.

12 CHAIR FERVIER: I don't know the answer to
13 that.

14 MEMBER GRUBBS: Well, let's just clear it up.
15 And so I make said motion.

16 MR. MILLS: He -- if I may, Ms. Grubbs, here's
17 an important fact that I think needs to be made. While
18 devices are handed out maybe by certain agencies -- and
19 if it was given to her by the Secretary of State's
20 office, then that they have a right to, of course,
21 retain it back. What they don't have a right to do is
22 to delete records that were on that device that were
23 property of the State Election Board. And that would be
24 a point that I think everybody here needs to consider
25 and think about, that that was property of the State

1 Election Board. And as the chairman has now said on two
2 or three occasions -- that that was deleted. There
3 needs to be an explanation for that.

4 MEMBER KING: Do we have a motion on the
5 table? I --

6 CHAIR FERVIER: No. I'm sorry. No. Would
7 you restate your motion, please?

8 MEMBER GRUBBS: My motion is to issue a
9 subpoena to Alexandra Hardin and to issue a subpoena for
10 the cell phone and cell phone records and text messages
11 that she utilized while she was serving on the State
12 Election Board -- to appear at the next meeting to
13 answer whether or not that phone was wiped and what has
14 happened to the data and the information from the phone.

15 CHAIR FERVIER: There's a motion. Is there a
16 second?

17 MEMBER KING: Second.

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

21 (Ayes were heard.)

22 CHAIR FERVIER: Any opposition? Hearing no
23 opposition, so moved by a vote of three to zero. Any
24 further comments on this topic? Next item on the agenda
25 is an Update on SOS Publication of SEB-Adopted Rules

1 from 2024. I don't know who put that on there, but.

2 VICE CHAIR JOHNSTON: I suspect I put that on
3 there to follow up on the responsibility of the
4 Secretary of State to publish adopted State Election
5 Board rules.

6 Director Mills, do you have any information or
7 -- I have not received any communications from the
8 Secretary of State about the publication or
9 certification of those adopted rules.

10 MR. MILLS: I haven't. I have not heard any
11 word from that.

12 CHAIR FERVIER: You might the email. Because
13 I thought that I saw some emails pertaining to that from
14 Charlene McGowan. But you might search and see.

15 MR. MILLS: Well, which -- to be clear, which
16 rules are we talking about?

17 CHAIR FERVIER: The rules from 2024 that were
18 adopted.

19 MEMBER GRUBBS: I believe that includes Rick
20 Jeffares' rule that he proposed as well as --

21 CHAIR FERVIER: A couple of Mr. Favorito's,
22 maybe.

23 MEMBER GRUBBS: And Ms. Adams's role on
24 observation.

25 VICE CHAIR JOHNSTON: Seven of 11 rules were

1 adopted, some outright, but the -- there were some that
2 were in question that ended up going to the Georgia --
3 to Georgia Supreme Court. And I believe several of
4 those did meet in the hurdle, new hurdles required by
5 the Georgia Supreme Court.

6 CHAIR FERVIER: There weren't seven of 11
7 adopted, were there?

8 VICE CHAIR JOHNSTON: There were some
9 initially adopted that were not contested in court.

10 CHAIR FERVIER: Three, I think. Something --
11 yeah. Okay. Yeah. Three or four, right?

12 VICE CHAIR JOHNSTON: Three or four. And then
13 the remaining were held up in litigation, Eternal
14 Vigilance action lawsuit. And the Supreme Court said --
15 confirmed that several of those did meet the hurdles.
16 And --

17 CHAIR FERVIER: And I thought that one
18 concerning monitoring the ballot boxes was allowed and
19 then two more were sent back to a lower court for
20 standing issues or --

21 VICE CHAIR JOHNSTON: I don't think so.

22 CHAIR FERVIER: Okay. We can -- we can
23 research it and figure it out exactly, so.

24 VICE CHAIR JOHNSTON: Right.

25 MEMBER GRUBBS: What's the normal amount of

1 time to get them to post information on the website?

2 MEMBER KING: I mean, we should be almost a
3 week. I don't know. How long has been taking?

4 CHAIR FERVIER: I don't know about --

5 MEMBER GRUBBS: I think that results in some
6 confusion like, we -- like, going on right now.

7 VICE CHAIR JOHNSTON: To post on our website?

8 CHAIR FERVIER: For the rules.

9 VICE CHAIR JOHNSTON: Oh, for the rules?

10 MEMBER GRUBBS: The rules.

11 CHAIR FERVIER: Yeah.

12 VICE CHAIR JOHNSTON: They're published in the
13 Georgia Bulletin of Rules and Regulations. And so
14 there's a certain cycle where they're added and -- but
15 first they -- they're certified by the Secretary of
16 State's office, so we should get a certified copy of an
17 adopted rule first. But -- and then they submit it into
18 the publication for everybody to be able to see and
19 check on.

20 CHAIR FERVIER: Okay. Next item on the agenda
21 is Update From -- update Member Grubbs's Request for
22 Firefly access, GARVIS access.

23 Member Grubbs?

24 MEMBER GRUBBS: Yeah. So just to refresh
25 everyone's memory, I had requested -- and this was

1 before I was on the board. I did not think it was
2 actually appropriate that some members on the board were
3 given access to Firefly and some were not -- and
4 advocated because this is a communication tool used by
5 the Secretary of State to the counties on election
6 bulletins and, you know, processes and things that --
7 that the board should be aware of what the Secretary of
8 State is actually communicating to the counties. And so
9 there's been emails going back and forth about us having
10 access, and I was told, first of all, that it was an IT
11 issue that we could not be given access.

12 And then secondly, actually, this morning, I
13 do have a response from Ms. Charlene McGowan, the
14 counsel for the Secretary of State's office. And yet it
15 says, I've discussed your multiple demands for
16 unrestricted access. I never said unrestricted access,
17 number one -- that it's the Secretary of State's
18 confidential and secure system with senior agency
19 leadership, and their position is unchanged that we
20 can't have access.

21 In her email, she says, With respect to
22 Firefly, one of the purposes is to allow our dedicated
23 county election workers a space where they can freely
24 exchange information. As former and current board
25 members have expressed, there is a concern there would

1 be a chilling effect on the county's ability to engage
2 in those discussions. If what you're seeking is access
3 to the SOS Elections Division, training materials --
4 blah, blah, blah.

5 So one of the things is that I believe GAVREO
6 has access to Firefly. And GAVREO is a non-
7 governmental organization -- association of Election
8 Board members, and I'm confused as to why, when we are
9 given the charge by the state legislature to investigate
10 and to make rules and regulations and things like that,
11 why we aren't allowed to see what the Secretary of
12 State's office is communicating to the counties.

13 And I think a prime example of an issue with
14 that is yesterday. When there are issues and the
15 counties communicate with the Secretary of State's
16 office and the Secretary of State's office tells them to
17 do XYZ -- we saw that issue in Chatham County, in fact.

18 I'm not saying that I want to get in there and
19 communicate with people. I just think that we need to
20 be -- because we are the State Election Board, the word
21 election is actually in the title of our board -- that
22 we should be privy to the information that the Secretary
23 of State's office and an external organization like
24 GAVREO or anyone else -- what they are communicating to
25 the counties. Because as I asked yesterday is. do the

1 -- do the county election workers verify that they're
2 actually getting the legal information from the Georgia
3 code to verify that what they're being told from the
4 Secretary of State's office is accurate?

5 And the answer is pretty much no. They are
6 just taking what the Secretary of State's office says
7 for granted when there are issues. This would help us
8 understand the process better and it would help us also
9 provide accountability with the Secretary of State's
10 office and what they're telling the counties.

11 Because yes, these county workers and these
12 administrators of elections are working hard, and
13 they're taking for granted everything that they're told
14 from the Secretary of State's office is the God's honest
15 truth. And we provide oversight for that. And to me,
16 it's a huge red flag that an outside entity has access
17 to this information and can put out information and we
18 have no vehicle to do that.

19 Maybe we would like to conduct some education
20 of our own. Maybe we would like to encourage voter
21 engagement. Maybe we would like to put out notices.
22 And how are we to do that when they have a vehicle to do
23 it and we don't?

24 Now, I'm also told that Firefly is going away
25 and they're doing a new system that may be done in

1 conjunction with GAVREO. I don't know, but it is fully
2 unfair. I'm offended that -- I demanded unrestricted
3 access. I haven't demanded unrestricted access. What
4 I've asked is for read- only access to GARVIS -- GARVIS,
5 whichever, and have been denied that as well. Board
6 members are always welcome to request publicly-available
7 voter registration information through the SOS's web
8 portal.

9 Yesterday, we just heard that we should go to
10 My Voter page. Well, guess what? You have to have a
11 date of birth. Well, guess what? We have incorrect
12 date of births in voter registration information. And
13 it's all clear as mud. It is all clear as mud. And so
14 when we are tasked with duties with both hands tied
15 behind our back, I'm offended. And that's what I have
16 to say about that.

17 MR. MILLS: More obstruction. Just more
18 obstruction. It is an important point, I think, to make
19 that this agency had asked the Secretary of State
20 through Charlene McGowan for our investigators -- we
21 have two investigators in the State Election Board -- to
22 have sight-only vision of GARVIS. We were denied.

23 MEMBER KING: How do we -- so right now,
24 basically, what's being said is that we don't have the
25 ability to communicate with all election officials

1 directly. We have to go through each individual website
2 for every county to get full emails if we would like to
3 have an email list. That's basically what we're being
4 told from the Secretary of State's office. The State
5 Election Board cannot communicate with the election
6 officials. For what reason? Why would they obstruct
7 that? That makes no sense.

8 At this point, we have crossed the line, and
9 we are at a point of no return. I don't understand. A
10 chilling effect to oversight? We don't want people to
11 feel nervous that there are folks in there that can
12 provide oversight. We want -- we want people to feel
13 more relaxed and not have oversight? And that -- when
14 we're talking about our elections? Are these people
15 insane?

16 VICE CHAIR JOHNSTON: No. Yeah. Operations.

17 MEMBER KING: Yeah. We'll keep fighting it.

18 CHAIR FERVIER: Any further comments on that
19 topic?

20 MEMBER GRUBBS: Mr. Chairman, I would like to
21 also say that since -- you know, like Member King said,
22 we would have to go through and -- because I asked for a
23 directory of contacts when I came on the board, and I
24 don't have a directory of election officials or anything
25 like that.

1 You know, at a happenstance meeting in the
2 hallway when we went -- you know, went to attend the
3 Blue Ribbon Committee presentation that didn't happen --
4 and I met some county officials there and that kind of
5 thing. But I understand that there are events that
6 happen with the local county officials.

7 And to clear up any cloud that, like, we're
8 after somebody or that we want to interfere or obstruct
9 with -- you know, just like when Dr. Johnston, me,
10 Member Ghazal went to Fulton County and I asked for
11 access just to observe. And we were denied when other
12 people that had absolutely zero to do with elections
13 were let in. And we were kept out in the hallway, and
14 then we were remanded to the out of doors all day, where
15 we sat in our cars to observe the FBI investigation and
16 were not allowed in.

17 You know, to be excluded all the time -- you
18 know, if I was any lesser of a person, it might hurt my
19 feelings a little bit. But being on the State Election
20 Board with the word election in it, we would like to
21 communicate with our election directors. And I
22 understand that there are regional meetings and thing
23 like that that -- you know, I guess there's a
24 notification of those meetings.

25 I don't know, because I've not been invited.

1 Don't know who's hosting those. Is the SOS's office
2 hosting those? And if there's a notification of that
3 kind of stuff, who does it go to? Because I feel, like
4 I'm just not invited to the party, and I just feel a
5 little sad about that because I would like to meet all
6 of our directors.

7 VICE CHAIR JOHNSTON: Well, just for the
8 record, as far as Firefly and access to Firefly, there
9 was a member of the board that did have access to
10 Firefly with no opposition. And as soon as I became
11 aware of that, I thought, what a great idea. I would
12 like access, too. And all of a sudden, the roadblocks
13 go up and the wall goes up. Well, no, no, no, you can't
14 do that. You might intimidate somebody and you might
15 see what we're saying. I don't know what the -- you
16 know, what the real reason is.

17 But the Democrat appointee to this board had
18 had access to Firefly from the beginning. So the board
19 decided, well, it's either everyone or no one. And of
20 course, you know, the vote was that no one on the board
21 would have access. But that board member continued to
22 have access to Firefly until I raised the question
23 several months later. And then finally, I believe,
24 she's been removed, although I'm not real sure.

25 But I don't think that board member has access

1 at this time. And I have repeatedly also asked for
2 access and have been met with the same excuses that you
3 have been met with, Member Grubbs.

4 CHAIR FERVIER: Any further comments? The
5 chair would ask for a five-minute comfort break at this
6 time.

7 MEMBER KING: So --

8 VICE CHAIR JOHNSTON: Second.

9 CHAIR FERVIER: Second. All in favor, signify
10 by saying aye.

11 (Ayes were heard.)

12 CHAIR FERVIER: Okay. We'll take a -- about
13 approximately five-minute comfort break. Thank you.

14 (A recess was taken.)

15 CHAIR FERVIER: This session is back in order.
16 Next on the agenda is a directors' and officers'
17 insurance policy. Who placed that on the agenda?

18 MEMBER GRUBBS: It was carried over, I think.

19 CHAIR FERVIER: It is carried over.

20 VICE CHAIR JOHNSTON: I initially had
21 discussed this, and the board was in agreement with
22 purchasing directors' -- D&O insurance, directors' and
23 officers' insurance. And perhaps Director Mills can
24 give us an update or --

25 MR. MILLS: I can -- I can give you an update.

1 The application process is quite extensive. One of the
2 things that it requires at -- is I'll have to get the
3 past budget signed off by probably the chairman and the
4 vice chair or whoever the committee so decides so that
5 if I submit or go with -- and -- a bid from someone,
6 they're going to want that there. Of course, they're
7 trying to protect themselves. They want to know what
8 the risk damage could be. But I think it's a wise thing
9 to pursue given what this board has been through in the
10 past.

11 VICE CHAIR JOHNSTON: Right. Thank you.
12 Well, if you will proceed with that if our budget
13 allows, then we should move forward with that.

14 CHAIR FERVIER: Do we have any quotes yet?

15 MR. MILLS: No. As I stated just now, you
16 can't get the quote until you turn the budget in. And
17 I've got to do that. I'm going to have to get whoever
18 this board decides to let -- I would recommend at least
19 two people signing off on it, so those two board members
20 -- I -- it doesn't matter to me who it is --

21 CHAIR FERVIER: Any further questions on that?
22 Next item is Discussion of Staff Attorney. I believe
23 that's a carryover, too.

24 MEMBER GRUBBS: Uh-huh. Yeah. Old business.
25 I just feel like we need -- we need a staff attorney.

1 I'm not talking about somebody -- I mean, clearly it's
2 kind of funny because every election board meeting for
3 other counties that I see, you know, other agencies have
4 an attorney on staff to advise them. And this is my
5 second meeting, and we still don't have an attorney in
6 the room who can -- we can ask for counsel and that kind
7 of thing. I don't know if the budget allows it, but I
8 think that I'm just going to reiterate my opinion that
9 we do need to have a staff attorney.

10 VICE CHAIR JOHNSTON: Well, I agree, Member
11 Grubbs, not only for our meetings, for questions that
12 may come up during the meetings. But also for open
13 records request. You may not know it, but we did a few
14 open records requests, and oftentimes, legal questions
15 need to be asked and answered about specific --
16 specifics for the -- some are quite voluminous in
17 detail, and some are quite vague and need to be
18 clarified.

19 But -- and some are now reaching into social
20 media platforms I've never even heard of. But it's
21 getting quite invasive. You know, if it's SEB business,
22 it's SEB business, and we're happy to provide those
23 documents for people that would like to obtain documents
24 regarding the business of the State Election Board.
25 That's part of our duty.

1 But yes, I think the staff attorney would be
2 welcome, just perhaps to just contract with someone.
3 But it had -- we have to work that out with the powers
4 that be.

5 MEMBER KING: Can I add my support to this?
6 Because I think we have a conflict issue. We had --the
7 Attorney General's office is trapped between
8 representing the Secretary of State's office and the
9 State Election Board. And the State Election Board is
10 supposed to be a separate entity that provides oversight
11 over the Secretary of State's office, according to the
12 recent laws that have passed.

13 Then I do think that we should have our own
14 attorney that is not tracked between the two in case
15 something comes up. There has been cases, as a matter
16 of fact, where counties have come before us. And what
17 they said was that some of the challenges that they were
18 experiencing was at the hands of the Secretary of
19 State's office. And when we reach out to the Attorney
20 General's office for legal guidance on how to handle
21 that, they are now in a position where they're defending
22 the SOS as well as trying to help us. And we end up
23 getting nothing.

24 So if we are beyond the point of needing our
25 own attorney that is its own entity, a standalone that

1 does not represent other agencies in case we find
2 ourselves in that situation. And which we have. There
3 was a time we were assigned conflict counsel, and we
4 were provided attorneys that we had never met before.
5 We didn't know them. I believe they may be -- been out
6 of state. And to be quite frank with you, I questioned
7 how much they understood the case at hand.

8 So we -- and we didn't have any input on who
9 our attorney would be. So, you know, when I am being
10 served in my driveway of a -- on a lawsuit and I don't
11 know who's representing me, or you have clear confidence
12 in them, that's a problem. So yeah. I absolutely
13 believe we are just beyond the point where we need our
14 own attorney. And we -- I'm definitely willing to
15 support this motion.

16 MEMBER GRUBBS: So yeah. It was confusing
17 coming on the board, you know, having, you know, Ms.
18 Young here with us. And she's nice. She's been
19 responsive when I've asked questions. However, then I
20 was watching another hearing, a court hearing, and then
21 Ms. Young is representing the Secretary of State's
22 office. And I'm like, but I thought Charlene McGowan
23 was the Secretary of State's counsel. And it's all --
24 it's -- if it's confusing to me, I can't imagine how
25 confusing it is to the public as well.

1 I know it comes down to a budgetary issue, an
2 item. So we'll have to rely on you, Director Mills, to
3 let us know when we have enough money in the bank to
4 hire a staff attorney. Perhaps we can do that on a
5 contract basis, in a case by case basis. But I would
6 like to see us do that.

7 And then I would also like to continue appeal
8 to the legislature to be sure that we are fully funded
9 to be able to do that. Because it is -- it is not good
10 to have us, you know, out there unrepresented or worse,
11 represented by attorneys that have a conflict.

12 CHAIR FERVIER: Any further comments? Next
13 item on the agenda is a Discussion of Conflict Counsel.

14 MEMBER GRUBBS: Well, that kind of rolls into
15 the same thing.

16 CHAIR FERVIER: Uh-huh.

17 MEMBER GRUBBS: Having conflict counsel to
18 represent us -- when I -- when I talk about a staff
19 attorney, someone we can go to, like, with the issue of
20 open records requests and things of that nature separate
21 and apart for having conflict counsel. It's just --
22 it's something that we need to keep on the radar, I
23 believe.

24 MEMBER KING: I think the next item is also --

25 CHAIR FERVIER: My understanding on conflict

1 counsel -- and I am willing to admit I'm wrong, but this
2 is what I've been told -- is that if the Attorney
3 General has a conflict in representing this board, that
4 they may go the governor and the governor would appoint
5 any conflict counsel that could represent this board.
6 That's been my understanding of how that works, so.

7 MEMBER KING: Yeah. I would like to see if
8 there's another way to go about that by allowing us to
9 pick our counsel. With all due respect to our
10 leadership, no -- none of them have been here. So I
11 would like us to be a part of the process when it comes
12 to deciding who's going to represent us when it comes to
13 legal matters, particularly if our name is on the -- on
14 the line.

15 VICE CHAIR JOHNSTON: Agree.

16 MEMBER GRUBBS: And the decision to provide
17 that conflict counsel, if the Attorney General declines,
18 is optional from the governor's office. So it's not
19 guaranteed that conflict counsel will be appointed.

20 MEMBER KING: Well, then we'd be represented,
21 period.

22 CHAIR FERVIER: Any further comments? Next
23 item is Communication Protocols.

24 MEMBER GRUBBS: So I brought this issue up --
25 surprise -- because of the attention of -- for example,

1 the Fulton County investigation. And, you know, people
2 want us to speak. They want us to hear things. And I
3 do believe in a unified front from the board when it --
4 when it is possible.

5 Also, when it comes to general submissions
6 that come to the general SEB email address, I'm not
7 clear on who's responding, if we all individually
8 respond. Kind of -- because I want to be sure the
9 public is served with a response. I don't want to see
10 people submitting comments.

11 Now, some of the people that submit comments,
12 I don't think they deserve a response because some of
13 them are not very nice sometimes. But I do feel like we
14 have an obligation to acknowledge emails. So I just
15 want to be clear on who's responding. Is it just a free
16 for all and people who want to respond can or is there
17 -- is there a communication protocol that I'm not aware
18 of?

19 CHAIR FERVIER: Well, I -- when I am addressed
20 individually in an email, I try to respond myself. So
21 if it's sent directly to me or -- then I will try to
22 respond. Otherwise, I -- in most cases, I would depend
23 on the executive director or whoever else it -- suggest
24 to respond to emails. Occasionally, I'll respond to
25 something that's just kind of easy. But typically, I'll

1 only respond to emails that just directly to me for I'm
2 the primary person being contact.

3 MEMBER KING: Yeah. I would say that for me,
4 if there's a question that's directly asked to me, then
5 I will respond. If you are just providing me with
6 information, then I may not. I may just leave it, and I
7 got the information. My reason for that is because we
8 get so many open records requests and we will not have
9 time to do our job if I was pulling emails over and over
10 and over again, particularly emails that it's just me
11 saying, Okay, or, I understand.

12 It's just -- becomes a waste of time. It
13 starts to feel like we're being a bit harassed through
14 all these open records requests. So I try to limit
15 that. I do have a lot of phone calls more so than
16 emails, but I agree with you. I do think that if there
17 was a way that we could ensure that we respond to every
18 single email that comes in, I think we should do it.
19 But right now, it's just kind of been a free for all.

20 CHAIR FERVIER: Any further comments? The
21 next item on the agenda is Court Administrators, Judges,
22 Clerk's Responsibilities Under OCGA 21-2-231, notifying
23 process from the SOS to judges when they're removing
24 individuals from the voting roll who claim they're
25 non-citizens.

1 Was that you, Member Grubbs? Okay.

2 MEMBER GRUBBS: Surprise. Yes. And this has
3 actually come up. It came up yesterday. Especially
4 when you have non-citizens who are -- because they
5 registered to vote, whether they did it or whether they
6 were registered, whether it was the DDS situation, this
7 has to do with court administrators and judges who then
8 have people that are contacted for jury duty.

9 And it's all good. We can be registered to
10 vote, but God, we don't want to do jury duty, so we're
11 going to finally admit we're not a citizen. And so I
12 wanted a way to remind -- you know, there are new judges
13 all the time. And yes, it's in the code and they should
14 be aware of it.

15 But this, again, is where communication
16 protocol on being able to communicate with counties
17 would be important, because we'd like to be able to just
18 put out a bulletin and say, Hey, you know, just as a
19 reminder, you judges, you have an obligation to
20 communicate that information. And, you know, reminder
21 to the election directors, Hey, you might want to reach
22 out to judges in your county and make sure that they're
23 aware of this provision.

24 But again, we -- you know, we are hamstrung
25 with that unless, you know, we have a broader range of

1 information. So just kind of wanted to bring it up for
2 information and be sure that these judges are notified
3 about that and these court administrators are not
4 notified. That's all I got.

5 CHAIR FERVIER: Thank you. Next item on the
6 agenda is Swearing In of the Respondents.

7 I believe that yours also.

8 MEMBER GRUBBS: Yeah. That was old business.
9 I just wanted to be sure there was -- you know, when we
10 have people come from -- for public comment and when we
11 have people making presentations, you would hope and
12 believe that people would always be truthful and honest.
13 I was always baffled by the fact that there was no
14 swearing in of people when they were doing presentations
15 or doing public comments.

16 But there's actually a code section that deals
17 with that. And I just want to be sure that that notice
18 is put on our -- in our public comment portions of the
19 agenda and when people sign up for public comment, just
20 to be sure that there's another level of accountability.

21 CHAIR FERVIER: You want swearing in of -- I
22 mean, you --

23 MEMBER GRUBBS: The notice -- I'm sorry. The
24 notice in the code section is that if you are coming
25 before a board, that you have an obligation to tell the

1 truth. And I would just like that code section just put
2 on as a reminder. Okay. Reminder. Tell the truth.

3 CHAIR FERVIER: All right. And it's not
4 necessarily relative to people making public comments,
5 though. There are a lot of comments that are made that
6 one can question whether they're accurate or not. But
7 -- and I would -- I would agree on the rest of the
8 agenda. If a official is coming here to testify or
9 somebody testify or speak before this board. But the
10 public comment section itself is -- to me, is a first
11 amendment right. And people are allowed to say what
12 they want to say. Any further comments on that?

13 MEMBER GRUBBS: I was just going to say that
14 the code section says -- it's OCGA 16-10-20 -- A person
15 who knowingly and willfully falsifies, conceals, or
16 covers up by any trick, scheme or device a material
17 fact, makes a false, fictitious, or fraudulent statement
18 or representation or makes or uses any false writing or
19 document known the same to contain any false,
20 fictitious, or fraudulent statement or entry in any
21 manner within the jurisdiction of any department or
22 agency of state government or of the government of any
23 county, city, or other political subdivision of this
24 state shall upon conviction thereof be punished by a
25 fine of not more than \$1,000 or by imprisonment for not

1 less than one, not more than five years, or both.

2 So that's actually a code section. And I
3 would just ask that this code section be put, you know,
4 on our notice in some way that -- and this should go for
5 any agency in the state.

6 CHAIR FERVIER: Yeah. I don't -- I don't
7 disagree with you on that. I'm just saying that the
8 people come in at the end and make public comments as --
9 to me, that --

10 MEMBER GRUBBS: Yeah. I understand. And I
11 agree. Free speech is extremely important.

12 CHAIR FERVIER: Yeah. Yeah. Yep. Yeah.

13 So next item on the agenda is Ballot
14 Duplication. I'm not sure who put that one on there.

15 VICE CHAIR JOHNSTON: No. Not me.

16 MEMBER GRUBBS: This is an old thing of
17 discussion. This was about duplicating by hand or by
18 BMD.

19 VICE CHAIR JOHNSTON: Right.

20 MEMBER GRUBBS: That's what that was.

21 CHAIR FERVIER: If there's no further comments
22 on that, the next item on the agenda is Legislative
23 Agenda. I believe that was the carryover from the last
24 meeting also.

25 MEMBER GRUBBS: That was carry over. Yep.

1 And I was asking if we had a legislative agenda.

2 CHAIR FERVIER: I thought that we had
3 addressed that previously.

4 MEMBER GRUBBS: Yeah. Yeah.

5 VICE CHAIR JOHNSTON: Yeah. We -- was that
6 addressed?

7 MEMBER GRUBBS: Well, that was --

8 CHAIR FERVIER: The recommendations made to
9 the legislature, I thought, at a previous meeting.

10 VICE CHAIR JOHNSTON: Right. My question
11 would be: Did we send the resolutions that we passed in
12 the last several months to the General Assembly? We --
13 I think we've passed resolution to recommend ending no
14 excuse absentee voting -- excuse me -- and to recommend
15 receiving of all ballots by 7:00 p.m. on election day.

16 We passed a resolution that all ballots shall
17 be received by 7:00 p.m., and that includes your
18 ballots. And apparently, the Supreme Court has recently
19 ruled on that and says that the election day ends at
20 whatever, 7:00 p.m. on Election Day and ballots are --
21 should not be received after that.

22 Additionally, I -- you know, I would -- we
23 still have the looming SB 189 issue with what will
24 happen with the legislation that requires removal of the
25 QR codes. And I would really not have -- like to

1 support the ability of the legislature, the General
2 Assembly, to pass the legislation that would offer a
3 solution to removal of the QR codes and move immediately
4 to hand-marked paper ballots and utilize ballot on
5 demand printers with good controls, strict controls for
6 the perhaps 20 or 30 counties that may need to use a
7 ballot on demand printer during early voting.

8 That's certainly a solution that could be
9 provided. 129 counties that we have in Georgia only
10 have one early voting site. They can simply have
11 preprinted ballots made for their early voting and be
12 kept at their one early voting site and accounted for.

13 And the strict ballot accounting, how many
14 ballots are printed, how many ballots are used, and how
15 many ballots are left. And the scanners -- with the
16 scanners that we have, we will work with that as we
17 speak.

18 And then Election Day can be utilized to have
19 pre-printed, hand-marked paper ballots that I think the
20 General Assembly is struggling with the details, the old
21 devil in the details of this, but they're charged with
22 removing these QR codes by July 1st. And I do not know
23 what they're coming up with, but there's a solution if
24 they want it. And I -- and I fear that it -- they may
25 opt to kick the can and leave things as they are.

1 But SB 214 is, I think, addressing the
2 possibility of having hand-marked paper ballots. And
3 it's doable. This is very workable if the will of the
4 General Assembly is there to make that happen.

5 You need a good chain of custody. We've
6 certainly heard plenty of cases recently about problems
7 with chain of custody. And certainly need to have good
8 documentation of ballot scanner tabulator tapes that are
9 open and closed on the same ballot scanner, not have a
10 break in the chain of custody. And those tabulator
11 tapes must be produced for the county boards that are
12 reviewing the election documents before they certify.

13 That's absolutely imperative, and not just if,
14 you know, somebody asked for those. They should be
15 presented to them from this -- assumed and -- from the
16 get-go that they can quickly check and make sure that
17 the ballots that are cast in the ballot box, the numbers
18 match and add up correctly to the number of voter list,
19 the actual people who came in to vote. Fancy that, you
20 know, that you would know exactly how many people came
21 in to vote. That would match up with exactly how many
22 ballots were cast, and therefore, you can come up with
23 your votes counted.

24 So those are essential elections items to --
25 for the General Assembly to consider. But I would be --

1 I don't -- and I'd be glad to hear from the rest of the
2 board if they have other ideas, but we are -- we're here
3 to support the General Assembly with whatever
4 legislation that they pass.

5 CHAIR FERVIER: Okay. Comments? Any further
6 comments? Okay. Next item on the agenda is Cases and
7 Investigations.

8 Dr. Johnston.

9 VICE CHAIR JOHNSTON: Oh, yeah. Yes, yes.
10 Yes. So cases and investigations the -- as mentioned
11 earlier yesterday, we heard the remainder of the cases
12 that were completed for presentation by the Secretary of
13 State investigators. We have basically cleared the
14 decks, completed -- ready to be presented hostile
15 election violation cases.

16 The Secretary of State investigators have
17 cases that they're working on. But they -- as we speak,
18 that there are no new cases to be presented to the State
19 Election Board. So we are grateful for all of the hard
20 work that every member on this board has put in, the
21 hours and hours to carefully review and carefully
22 consider the merits of all of these cases, the
23 allegations and the evidence provided. And I think
24 we've made as sound decisions as we possibly could and
25 referred when indicated.

1 However, going forward, I think it's time for
2 the State Election Board to consider something new. And
3 this would be the consideration for the State Election
4 Board to authorize a pilot project to investigate some,
5 you know, potential election code violations through the
6 engagement of an independent licensed private
7 investigator.

8 I think that this is the time that we might --
9 may embark on this small pilot project. And we can
10 review the cases that would be indicated that would be
11 achievable and -- you know, and have a presentation and
12 a report in a month or two of some rather
13 straightforward case complaints and investigations with
14 the public presentation in a written report to the State
15 Election Board.

16 And I specifically -- we might focus on
17 something -- that a case such as something as simple as
18 voter rolls and what is conducive to fair or legal and
19 orderly conduct of elections to achieve current and
20 accurate voter rolls that are necessary to ensure
21 non-discriminatory and uniform elections.

22 The Election Board is charged with oversight
23 of this administration of election laws in the state of
24 Georgia. And we are charged to ensure that the voter
25 rolls are maintained in accordance with applicable law.

1 So Mr. Chair, I would make a motion to
2 authorize taking Director Mills to contract with a
3 licensed private investigator for a pilot project to
4 investigate several complaints presented -- that would
5 be presented to the State Election Board.

6 CHAIR FERVIER: I don't oppose this. I want
7 you to know that. But I -- this is the very first I've
8 heard of this today, and I would like to know what the
9 cost is going to be, exactly what the job duties
10 entitles -- this person going to be. And I just think
11 that a little bit more information would be helpful
12 since this is the first that we've heard of it today.
13 And so if we could have a proposal for the board for
14 consideration -- like I say, I don't oppose it. I just
15 would like some more information before this board is
16 able to act on that, so.

17 VICE CHAIR JOHNSTON: What information would
18 you like?

19 CHAIR FERVIER: Well, I -- I'd like to know
20 who it is. I would like to know who you propose. I
21 would like to know what we're going to pay this person.
22 I'd like to know exactly what their duties and
23 responsibilities are going to be, who they report to,
24 you know, the kind of hours, just general job
25 description of what this is going to entail, and --

1 MEMBER KING: Wouldn't we have to pass it
2 first so that then he can directly work on that?

3 CHAIR FERVIER: I think we can -- yeah. We
4 can pass him creating a proposal to present to the
5 board. Absolutely. And that way, the board will have
6 something to consider -- you know, to look at, so.

7 VICE CHAIR JOHNSTON: Well, rather than having
8 to wait month after month after month for one step, next
9 step, next step, I'm -- my motion would be to authorize
10 Director Mills to proceed with identifying a licensed --
11 an LPI licensed prep private investigator and negotiate
12 a rate in a contract for a pilot project and a limit to
13 the amount of money that may be spent. Considering our
14 budget, we have a modest budget to begin with.

15 And Director Mills, he has the authority to --
16 he does have the authority to contract with vendors
17 according to the code. I think we should trust him to
18 be a good steward of our budget and our funds and what
19 our goals are as far as investigations. We're certainly
20 experienced with what's required. And then let him
21 proceed with that.

22 And if there's any objection, then bring it
23 back. But otherwise, give him the go ahead today to
24 initiate a few simple investigations to see how this
25 might work for the State Election Board.

1 CHAIR FERVIER: The problem is, we can't
2 object to things we don't know about. And I agree with
3 allowing him to go ahead and talk to somebody and
4 present a proposal for it and the cost everything and
5 then give that to the board and let the board decide.
6 Then we can have something to object to. If he goes and
7 hires somebody, writing the contracts with him, we can't
8 really object to anything we don't know about. So it's
9 --

10 MEMBER GRUBBS: Well, I think part of that --
11 part of that issue is, is that getting a quote and that
12 kind of thing, an investigator is not going to know what
13 they're going to charge until they get into the
14 investigation. That's part of the issue.

15 CHAIR FERVIER: Well, they know how much they
16 charge an hour. And they would know that. That's -- I
17 mean, all investigators know that and certainly come
18 with a contract. I mean, that's -- when I hire
19 investigators, they give a -- an hourly rate and they
20 give me a -- an estimated number of hours it's going to
21 take.

22 And so I have some identification. I also --
23 I also know who I'm hiring at that point. And so I --
24 and I don't think this takes month after month after
25 month. I mean, this is something that --

1 MEMBER KING: We have the --

2 VICE CHAIR JOHNSTON: Well, the problem is
3 scheduling a meeting. You know, we've had difficulty
4 with getting meetings scheduled and actually put on the
5 agenda, put in the website, noticed. If -- you know, if
6 I was assured that a meeting would -- could be held by
7 Zoom, I presume, within an appropriate amount of time
8 rather than delay, delay. But I -- I'm with you. But I
9 don't have the confidence that we'd get meetings
10 scheduled and heard appropriately in a timely way.

11 CHAIR FERVIER: Well, we have a meeting
12 scheduled for 30 days from now. And if he has something
13 to present before then, and two members of this board
14 want to call a meeting, then a meeting will be called to
15 consider his proposal. I -- this board can do what it
16 wants to do. That's just my suggestion.

17 And, you know, something of just magnitude, I
18 think it is something of magnitude when you talk about
19 going outside our current staff and doing something like
20 that, that the board ought to know what we're getting
21 into with this and have an understanding of it. So
22 that's my comments. This board would -- obviously, can
23 do what it wants to do, so.

24 MEMBER KING: We can't determine -- there's no
25 one that can determine hourly rate without knowing what

1 exactly they're investigating, to Member Grubbs's point.

2 CHAIR FERVIER: Well --

3 MEMBER KING: So I know you worked with
4 private investigators before, but I'm assuming you
5 contacted them to for their services. You provided them
6 with the scope of work or something to let them know
7 what they will be doing or working on so they can give
8 you a proposal based on the hourly rate.

9 CHAIR FERVIER: No. They all have a standard
10 hourly rate they use.

11 MEMBER KING: So this is being for all private
12 investigators?

13 CHAIR FERVIER: Every one I've ever used has a
14 standard hourly rate that they use.

15 MEMBER KING: So it -- what is there -- we
16 already know that, and we shouldn't be able to put
17 together a budget.

18 CHAIR FERVIER: It ranges from less than \$100
19 to several hundred dollars an hour. I mean, it's all
20 over the board, so.

21 VICE CHAIR JOHNSTON: Well, the -- my position
22 is, is that we have an executive director to operate in
23 this exact way, and that we put our full faith and trust
24 that he will be a good steward of the money that he
25 spends on behalf of the State Election Board. And we'll

1 implement that. That's why we have an executive
2 director, to implement these --these actions. And we
3 don't have to micromanage Director Mills. That --
4 that's what he gets paid for.

5 CHAIR FERVIER: No. I agree with -- my -- you
6 know, bringing on a new project and this board having at
7 least some input into it is not micromanagement
8 necessarily. It's just stewardship of the funds that
9 we've been given at some point. So like I said, this
10 board can do what it wants to do. I've made my
11 comments, you know. This board will vote the way that
12 it votes, so.

13 MEMBER GRUBBS: So on this issue, Dr.
14 Johnston, I'd like to first of all say that after going
15 through the cases and reading the investigations for the
16 investigators, I'd like to make a point that there are
17 some really good investigators that are employed by the
18 Secretary of State's office. In a lot of the
19 investigations, I think that they've done a very good
20 job of identifying issues and correlating that to
21 violations in the State Election Code and things, like,
22 that. So I appreciate their hard work.

23 But I also acknowledge that there is this
24 schism between us and the Secretary of State's office
25 where we can't even talk to the investigators seemingly

1 now. We have to -- it -- I feel like, you know, we
2 submit our questions, you know, and then it comes back
3 like out of a -- it's just an overly- burdensome process
4 to even get that information.

5 And there are some -- there are some cases
6 where I would say, Well, why didn't they do this, or,
7 why didn't they do that, you know, in conducting the
8 investigation. And then you have the fact that we still
9 have 2020 cases that have not been addressed. And I
10 finally -- you know, I emailed with Investigator Koth,
11 and she's quite pleasant to deal with and I like her
12 very much.

13 But, of course, she was going to be out of
14 town and then, you know, we're banished from having
15 interaction with the investigators and that kind of
16 thing. But when you come up with questions you know,
17 you have to email this one and this one and this one,
18 and then you might -- by the time it pings back, you're
19 like, I forgot why I even asked a question.

20 You know, it becomes -- especially in our busy
21 lives where, you know, we have jobs that we work and
22 things like that. We have a life outside of the State
23 Election Board. And so I have to say, it would be
24 extremely nice to engage with someone doing an
25 investigation, especially critical investigations, with

1 some of the very, very important issues that come
2 forward to us where we don't have that rigmarole to jump
3 through.

4 And Dr. Johnston, I agree with you that -- and
5 I hear the chairman's point of view, and I understand,
6 but we're not scrutinizing the level of detail that he
7 would -- that Director Mills would undertake to go get,
8 you know, D&O insurance. So are we going to scrutinize
9 him over, you know, choosing an investigator or
10 discharging that responsibility to have an investigator
11 engaged with the State Election Board?

12 And so I'm very much in favor of us engaging
13 someone from the outside who would be able to
14 investigate some of these more critical cases so that
15 they don't take six years to come before us. Taking six
16 years to come before us is ridiculous.

17 Maybe it's because they're overworked. Could
18 be because they're picking and choosing what they want
19 to bring forward. I don't know. We have no control
20 over that, which is another issue. Since we don't have
21 control over kind of previewing what those complaints
22 are because it goes to the Secretary of State, then how
23 are we to know? And we are discharged with a duty to
24 investigate. So I would like to see how this goes.

25 VICE CHAIR JOHNSTON: My other concern is, to

1 post a meeting requires going through the Secretary of
2 State's gauntlet of Ms. McGowan and IT. And should
3 somebody in the office object to this pilot project,
4 they simply might not post our meeting to approve more
5 details to this contract. I mean, and that's sort of a
6 -- kind of a weird way to look at it, but that's the
7 reality of what we have to deal with, is simply posting
8 a meeting to go further to hear about just a pilot
9 project.

10 I would -- I could certainly add to the motion
11 a limit of \$10,000 to initiate -- to provide -- to
12 authorize Director Mills to spend for this pilot project
13 --

14 MR. MILLS: That's fine.

15 VICE CHAIR JOHNSTON: And report back before
16 we move further with any other investigations. I think
17 we could certainly have several investigations for that
18 amount of money or less with an LPI.

19 CHAIR FERVIER: Do you have a motion?

20 VICE CHAIR JOHNSTON: Mr. Chair, I move that
21 we authorize Director Mills to contract with a licensed
22 private investigator to conduct a pilot project of one
23 to four investigations -- complaints, election
24 complaints that have been submitted to the State
25 Election board -- and report back as soon as these are

1 completed to the State Election Board and authorize
2 Director Mills to spend up to \$10,000 for this pilot
3 project.

4 CHAIR FERVIER: There's a motion. Is there a
5 second?

6 MEMBER KING: Second.

7 CHAIR FERVIER: Motion and second. Any
8 discussion? All those in favor, signify by saying aye.
9 (Ayes were heard.)

10 CHAIR FERVIER: Any opposition? So moved.
11 Next on the agenda is a presentation by the Coalition
12 for Good Governance on election law, complaint on voting
13 systems during 2026.

14 Ms. Marks, is Ms. Dufort assisting you? Okay.

15 MR. MILLS: Mr. Chairman, it's 15 minutes.

16 CHAIR FERVIER: Ms. Marks?

17 MS. MARKS: Yes?

18 CHAIR FERVIER: It's been the standard of this
19 board when people make a presentation -- for us to give
20 them 15 minutes. And so I would hope that you'll be
21 able to -- did you have something you were passing out?
22 No? Okay. So I would hope that you'll be able to keep
23 that -- when you get within about two minutes, the
24 executive director will let you know that you're within
25 two minutes, okay?

1 MS. MARKS: Okay. Thank you.

2 CHAIR FERVIER: Thank you.

3 MS. MARKS: I -- I appreciate that. I will do
4 my best. Of course, we're trying to cover a mass amount
5 of material in a short period of time.

6 CHAIR FERVIER: Okay.

7 MS. MARKS: But thank you. My name is Marilyn
8 Marks. I'm the Executive Director of Coalition for Good
9 Governance. And I want to start where Member King left
10 off on September 24th. She said this: I feel like we
11 keep playing this game of hot potato, right? It's like,
12 we don't want it. Let's throw it over there. They
13 don't want it. Let's throw it over here. Well, they
14 were still throwing around a hot potato.

15 Or perhaps it was the elephant in the room, as
16 Dr. Johnston said in the December meeting. She said,
17 this petition for rule amendment is about secrecy,
18 ballot secrecy, but it's the elephant in the room
19 because the consequence of not meeting ballot secrecy
20 standard is to revert to hand-marked paper ballots.

21 The Courts have struggled with the voting
22 system. The legislature has fumbled it even in the last
23 two weeks. Dr. Johnston has just said that she wants to
24 be in dialogue with the legislature on a permanent
25 solution. And what we want to talk to you about today

1 is a temporary solution until that permanent solution
2 can be determined.

3 This board has clearly not wanted the elephant
4 or the hot potato, but the legislature has assigned to
5 this board the very duty to enforce the law, and the
6 Courts have reinforced the fact that it's the duty of
7 this board on -- to decide on such matters and to force
8 compliance with the law. So unfortunately, it's your
9 hot potato and your elephant to have to deal with, but
10 I'm here to ask you to handle that today not
11 defensively, but responsibly, and use the depth of your
12 knowledge that this board has about Georgia's voting
13 system. And quite frankly, that knowledge exceeds that
14 of the members of the legislature.

15 This is not a policy question. The lawmakers
16 have already answered that question. They have answered
17 the question of what happens when the voting system
18 components cannot be operated to comply with law. The
19 back-up system is required. It's not rule-making. It's
20 not eternal vigilance, which is solely about
21 rule-making. It's not about legislating.

22 The legislature has spoken clearly. They've
23 stated what the law is, and it has given the county
24 conditions for use for the voting system. They intend
25 to allow people to vote on a touch screen. They're not

1 -- they're -- they -- we don't vote on the touch screen
2 system unless it meets those conditions for use, the
3 conditions that the general assemblies laid out. And
4 then they've instructed this board to enforce that law
5 and to order the back-up system when the primary system
6 is not working. It's the -- and it's the enforce -- the
7 enforcement is this board's obligation and duties. The
8 courts have made that clear.

9 Dr. Johnston just said that she would be
10 supportive of whatever the General Assembly passes for a
11 permanent solution. And so we are asking you to be
12 supportive still today of what the General Assembly has
13 created as a solution in the past, and that's the
14 back-up system.

15 So why we're here? It's really been the lack
16 of action by this board, the courts, and the legislature
17 that has resulted in depriving Georgia voters of the
18 ability to participate in legally- conducted elections.
19 Today's elections are not being legally conducted. We
20 all know that the law prohibits violation of voter
21 secrecy or ballot secrecy. It today prohibits the use
22 of QR codes for official votes. So not just in July,
23 it's today, too. And then it prohibits the use of
24 voting machines that cannot meet the testing
25 requirements.

1 But the voters' rights are being trampled on
2 when they cannot participate in legally-conducted
3 elections. That can only lead to, particularly in 2026,
4 more divisiveness, more controversy, contested
5 elections, and never-ending questions about who won.
6 You know, we wouldn't be having these debates today
7 about 2020 if the law had been followed at that time.
8 It would've have been settled in 2020. It would have
9 been settled with a manual recount. But we didn't
10 follow the law. So this board has the authority and the
11 duty to ensure that the midterms are conducted legally
12 and with the voters' rights honored.

13 So on December the 31st, we at Coalition for
14 Good Governance filed a formal complaint naming Hall
15 County and Cobb County as respondents. At that time, we
16 repeatedly requested a prompt hearing from this board so
17 that the board could timely issue orders to the counties
18 in time for, we suggested, the March 10th CD 10 vacancy
19 election. But we -- we are coming too -- too close now.
20 But tomorrow I will resubmit all of the follow-up
21 letters that I have written to be included in the formal
22 record.

23 So I've told -- I've been told that this is
24 just a discussion, not a formal hearing. For the
25 record. I need to object to that and -- if we're being

1 denied a hearing. And it does represent a denial of due
2 process. But whether we ever get a hearing or not,
3 whether we ever hear our complaint heard, whether we
4 ever get to even have this discussion, you all have the
5 duty under the law to enforce compliance with Georgia's
6 Election Code.

7 And our complaint alleges three areas or five
8 areas of violation of law: Ballot secrecy, which we've
9 talked to this board about many times, the failure to
10 use a system that records the vote in a manner that the
11 voter can verify before casting her ballot, the
12 inability to conduct the statutorily- required test
13 before the system is deployed in the polling places,
14 violation of HAVA federal law audit capability
15 requirements, and the anti-tampering rules for the
16 public to be able to watch the machines as being
17 operated to be sure that nobody can be tampering with
18 them.

19 We're not asking you to invent new policy.
20 We're not asking you to promulgate new rules right now.
21 We're not asking you to legislate, that's for sure.
22 We're just asking you to do what -- what you do with
23 other complaints of violations, enforce the existing
24 law. In the last day, you all have done many things to
25 enforce the -- the compliance with existing law. You

1 give letters of reprimand, letters of instruction, you
2 generate fines to comply -- to get people to comply with
3 the law.

4 In the past, you've told us that we should
5 come back to you with a specific complaint about
6 specific counties if we don't like what's happening on
7 -- with respect to ballot secrecy testing, et cetera.
8 So we we're here today having done just that. When we
9 brought you in 2023 the Petition for Rule-making
10 regarding logic and accuracy testing requirements that
11 required counties to either comply with the LAT testing
12 -- if they could not, then use the back-up system. But
13 this board said, No, no. The statute's already clear.
14 We don't need any more rules. The statute's clear.
15 What you need to do, CGG, is come back to us with a
16 complaint and name counties and then we will enforce the
17 law.

18 In fact, Mr. Lindsey said it would be
19 incumbent on us and the Secretary of State to push on
20 the counties so that those -- on the counties those
21 methods that put them into compliance with law. He
22 says, I'm always going to tell the counties to follow
23 the law. So here we are with our complaint. We've done
24 exactly what you asked us to. And the denial letter
25 that we got from the board at the time, we will submit

1 that as part of this record.

2 So what has the federal court said about -- in
3 the cases, by the way, in which this board was a
4 Defendant regarding the board's authority? In the
5 Curling case, where, of course, we were Plaintiffs, you
6 were Defendants -- are -- still are -- the case is on
7 appeal -- that this board had argued that you don't have
8 authority, that it is the county's authority. And the
9 Court said, Oh no. This is the State Election Board's
10 authority.

11 She expressly acknowledged, she -- she being
12 Judge Totenberg, that the State Election Board possesses
13 not only the authority but the duty to act when a voting
14 system cannot be lawfully or practically used. The
15 Court went so far as to say that this board's position
16 that it didn't have authority to declare a system
17 impossible or impracticable to use -- she said the
18 board's position was meritless. She relied on Eleventh
19 Circuit case that is in your files that involved the
20 governor, who was then the secretary of state, Governor
21 Kemp -- where the Appeals Court said that members of the
22 State Election Board had the authority and duty to
23 direct compliance with law. Nothing has changed from
24 that time.

25 As it relates to the voting system as it's set

1 up today that causes all voters to vote on the
2 touchscreen system, this is what the Curling Court
3 opined: The statutory provisions mandate voting on
4 electronic ballot markers that one, use electronic
5 technology independently and privately to mark a paper
6 ballot at the direction of an elector, interpret ballot
7 selections, communicate such interpretations for elector
8 verification, and print an elector- verifiable ballot.
9 And two, produce paper ballots which are marked with the
10 elector's choices in a format readable by the elector.
11 And she cites the -- the code section and goes on to
12 say, Plaintiffs and other voters who wish to vote in
13 person are required to vote on a system that does none
14 of those things. The judge is saying the system does
15 none of those things the law requires. Rather, she
16 continues, the evidence shows that the Dominion BMD
17 system does not produce a voter-verifiable ballot on a
18 paper or paper ballot marked with the voter's choices in
19 a format readable by the voter because the votes were
20 tabulated solely from the unreadable QR code.

21 So again, this is enforcement, not
22 rule-making. There's been continued conflation of those
23 ideas, oftentimes in conversation between rule-making
24 authority and enforcement. They're two separate and
25 distinct things. This, again, has absolutely nothing to

1 do with the old bogeyman eternal vigilance, which gets
2 raised every at every turn.

3 So the General Assembly has already spoken.
4 They gave these conditions for use. So you're not
5 waiting for legislative clarification. They've been
6 clear. You're not trying to change policy. You're just
7 asking that -- or you are being asked that you ensure
8 compliance with the law that already exists. It's your
9 obligation.

10 Quoting you again, Member King, from the
11 September meeting, you said, At some point we could have
12 put a stop to this craziness and this hamster wheel that
13 we are on. I'm tired of talking about it. Good Lord.
14 Can we just fix the problem and move on? All the public
15 is asking is to be able to write on their own ballot and
16 submit it. I don't understand why it's so complicated.
17 Quite frankly, we don't either.

18 MR. MILLS: Two minutes.

19 MS. MARKS: Two minutes. Okay. This is going
20 to be hard to wrap up in such a short period of time.

21 You all have -- have the record. We are
22 asking for violation. We are asking you to -- to read
23 -- read the law on the very points that we have talked
24 about. You know you've got a ballot secrecy problem.
25 It has been acknowledged. It's in the record.

1 In 2023, Dr. Johnston said, Indeed, ballot
2 secrecy is a priority, it's a requirement, and it can be
3 a problem, especially with large touch screens.

4 Chairman Fervier said, I've gone across the state and
5 watched voting in some places that are very large -- you
6 can separate them -- and some are very small. And it's
7 difficult to do that.

8 So I'm not going to have time to go through
9 the details of all of the violations of law that we have
10 alleged and are asking you to find violations on. It's
11 in the record. I'm happy to answer comments about that.
12 Just so -- just so you know, the last time that this was
13 taken up as a violation in the form of a complaint, just
14 on secrecy alone, you all had a seven-hour hearing just
15 on secrecy. And proper notices were sent, that sort of
16 thing. And I just want to make a distinction between
17 having that kind of a hearing and what we're doing
18 today, when I'm being told we have 15 minutes to cover
19 these -- these broad public policy issues.

20 So our requested relief is we are asking you
21 to issue an order directing the named respondents in --
22 and all counties, all other counties, to cease and
23 desist using the touchscreen system, the touchscreen
24 portion of the system in violation of law and deploy the
25 statutorily-required back-up configuration. And I have

1 updated the proposed order and I can give that to you.
2 The violations are occurring now. The legislature has
3 spoken and the Courts have already addressed your
4 authority.

5 CHAIR FERVIER: Thanks, Ms. Marks.

6 MS. MARKS: So may I answer any questions for
7 you?

8 CHAIR FERVIER: I want to thank you -- your
9 presentation prior to this board meeting today with your
10 notes and files and cases you sent to us --

11 MS. MARKS: You will get some more.

12 CHAIR FERVIER: -- which was -- which is
13 rather lengthy. And I appreciate that. It's always
14 good to educate myself on these kinds of things. And so
15 you've been very persistent, and I appreciate all the
16 information you provided this board and your persistence
17 with it. I want to be clear on one thing. You're
18 asking us to order all 159 counties to go to the
19 hand-marked paper ballot, right?

20 MS. MARKS: Yes. That is correct.

21 CHAIR FERVIER: So it will affect -- it would
22 affect --

23 MS. MARKS: To the back-up system.

24 CHAIR FERVIER: To the back-up system. Right.
25 Which is hand-marked paper ballots.

1 MS. MARKS: Correct.

2 CHAIR FERVIER: Okay.

3 MS. MARKS: And use the -- to be clear, use
4 the scanners, not hand counting the ballots.

5 CHAIR FERVIER: Right? No hand counting.
6 Just the back-up system, which is hand-marked --

7 MS. MARKS: Exactly.

8 CHAIR FERVIER: -- paper ballots. Right. And
9 in early voting and Election Day, right?

10 MS. MARKS: That's correct.

11 CHAIR FERVIER: Okay. Okay. Any other
12 questions from the board for Ms.

13 Marks?

14 MEMBER GRUBBS: I just have a couple of
15 questions. Ms. Marks, can you remind us what attorneys
16 argued on why we do or don't have the authority to make
17 this decision?

18 MS. MARKS: Yes. And this goes back to 2019.
19 And by the way, the law has not changed on impossible
20 and impracticable since then. And in 2019 when the DRE
21 voting system was being alleged by us as violating the
22 laws, the State Election -- and -- and we said, State
23 Election Board, it's your duty to -- to acknowledge that
24 it does not meet law. Your lawyers argued, Oh, no, no,
25 no. It's not ours. It's the county's duty to do this.

1 It's the county's duty to each recommend -- you know,
2 determine that they're not meeting the law. It's not
3 us, it's them. And the -- that argument was invalid for
4 reasons we can talk about.

5 But the judge said, No, you're wrong. It's --
6 it's not solely the counties' duties. This board has
7 the authority. And in fact, she said, Your position
8 trying to delegate it down to the counties is meritless,
9 that you don't -- they have the duty, but this board
10 does as well. And I'll be happy to send you that --
11 that citation and -- and what was argued if that would
12 be helpful.

13 MEMBER GRUBBS: That would be great.

14 MS. MARKS: Thank you.

15 MEMBER GRUBBS: Also, some suggested the
16 back-up system. We had the back-up system and then we
17 have the emergency system. Can you explain the
18 difference between back-up and emergency?

19 MS. MARKS: Yes. I think that there have even
20 been members of this board who -- who have said --
21 who've talked about the emergency system being defined
22 in the statutes. Now, there is no such thing as
23 emergency ballots defined in the statutes. The idea of
24 emergency ballots is a creation of this board that it
25 made in rule making. And the -- the back-up system that

1 is provided for in statute is, it -- it does not in any
2 way limit the use of the back-up to system to an
3 unforeseen circumstance.

4 And, in fact, the one example it gives is not
5 an emergency at all. It gives the example of having too
6 many candidates to fit on the automated ballot and
7 therefore having to go to a paper ballot to fit all the
8 candidates on. And that certainly wasn't an unforeseen
9 Election Day emergency. So there -- that is just a
10 complete misunderstanding by the board to think that
11 it's only limited to emergencies.

12 You all did create rules for unexpected
13 emergencies, the -- you know, we've got a water leak or
14 the power goes out. You all did create that -- that.
15 It -- but it -- but those rules should not have been,
16 but were more or less limited to those circumstances.

17 MEMBER GRUBBS: Thank you.

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

20 MEMBER KING: Thank you.

21 MS. MARKS: Okay. Well I do have an updated
22 and amended order that I would -- proposed order that I
23 would like to pass out.

24 CHAIR FERVIER: Please do.

25 MS. MARKS: Okay. All right. I will do that.

1 And if today you are not ready to -- to do this and you
2 feel like you need more time, I would urge you to at
3 least tell the counties that it is your intent to
4 require them to comply with law and that you will
5 reconvene very soon to have a -- more in depth details
6 on how and when you want them to comply with the law
7 when you've had a chance to get into the details a
8 little bit more and had more in depth discussions.

9 So I would ask you to give them plenty of
10 notice. Tell them -- tell them that they must -- they
11 must comply with law and that you intend to order that.
12 So let me give you this proposed --

13 CHAIR FERVIER: Okay. Hand it to Shaun
14 (phonetic), please. Thank you.

15 MEMBER GRUBBS: Thank you.

16 CHAIR FERVIER: I want you -- I appreciate you
17 coming in here and helping educate us on this topic.

18 MS. MARKS: But I can't believe you called me
19 persistent.

20 CHAIR FERVIER: Pardon me?

21 MS. MARKS: I can't believe you called me
22 persistent.

23 CHAIR FERVIER: I didn't get any pushback on
24 that, so.

25 MS. MARKS: I'm -- I'm sure they would all

1 like to argue with that right now.

2 CHAIR FERVIER: I don't think so. Any further
3 comments from the board?

4 MS. MARKS: Thank you.

5 CHAIR FERVIER: Thank you, Ms. Marks.

6 Next item on the agenda is Public Comments, my
7 favorite portion of the meeting. The executive director
8 will handle public comments today. The individuals
9 making comment, as I stated -- suggested at the
10 beginning of the meeting, if you would please just be
11 respectful of everybody else's comments and, you know,
12 do the jazz hands or whatever you want to do.

13 But people have differing opinions. You're
14 probably going to hear something you don't like, but
15 everybody has a right to be heard. And so I just ask
16 you to please be respectful of everybody's comments.
17 And you have -- you'll each have two minutes to speak.
18 The executive director will let you know when you have
19 about 15 seconds left. And the two minutes, we would
20 hope that you would clear it up pretty quickly.

21 There will be a couple of individuals that
22 were here yesterday that wanted to attend by Zoom
23 because they weren't able to make it back today. So
24 they'll be attending by Zoom.

25 And then, just so I don't forget, the next

1 scheduled meeting is Wednesday, March 18th, and it will
2 be held at the Marietta City Hall. So Marietta City
3 Hall. And I guess that's downtown Marietta. Never been
4 there before. So that will be Wednesday, March 18th.

5 MEMBER GRUBBS: You moved into my town then.

6 CHAIR FERVIER: Pardon me?

7 MEMBER GRUBBS: That's my town.

8 CHAIR FERVIER: Your town?

9 MEMBER KING: Mr. Chair, I was going to -- I
10 was going to ask if -- I know two people have requested
11 -- from today's meeting -- to speak. They weren't at
12 the -- at yesterday's meeting during public conference.
13 And I was, like -- I wanted to give them that time. And
14 it was Joseph Kirk and Garland Favorito.

15 CHAIR FERVIER: Okay. Was there anybody else
16 then?

17 UNIDENTIFIED SPEAKER: Yes. We do have one
18 more speaker.

19 CHAIR FERVIER: Okay.

20 UNIDENTIFIED SPEAKER: David Ramsey.

21 CHAIR FERVIER: David who?

22 UNIDENTIFIED SPEAKER: Ramsey.

23 CHAIR FERVIER: Ramsey. David Ramsey?

24 MEMBER KING: And Favorito.

25 CHAIR FERVIER: And Tamra (phonetic) and

1 Favorito?

2 MR. MILLS: Who was the other one?

3 CHAIR FERVIER: What?

4 MR. MILLS: Who was the other one.

5 CHAIR FERVIER: Who was the other ones, you
6 said?

7 MEMBER KING: Oh. Joseph Kirk.

8 CHAIR FERVIER: Joseph Kirk. Yeah. We need a
9 quick five-minute break. Let's take a quick five-minute
10 break and we'll start promptly after that. So thank
11 you.

12 (A recess was taken.)

13 CHAIR FERVIER: Thank you. We're going to --
14 we're going to begin with -- we have some people
15 attending online, Zoom online, so we can allow them to
16 speak and then they can go about their day. And like I
17 said, our executive director will handle it going
18 forward so I am passing the gavel and the time case to
19 the executive director.

20 MR. MILLS: And Shaun, if you would hold the
21 call just for a second. Because there is one issue that
22 I need to at least discuss with the board. That is that
23 I don't have any cases to put on the March agenda except
24 for the ones that you've continued, which is a --
25 miraculous event and a great credit to this board. And

1 I -- and I mean that to each one of you.

2 Even you, John. I mean it. I do.

3 We have worked together to accomplish this and
4 it is to be celebrated. And I mean that. You did a
5 great job keeping us moving yesterday, Mr. Chairman, and
6 I -- and I thank you.

7 CHAIR FERVIER: Talk fast. Thank you.

8 MR. MILLS: Now, let me talk slow when I'm
9 congratulating you.

10 CHAIR FERVIER: No. I'm saying I talk fast.

11 MR. MILLS: Okay. Okay. All right. So
12 here's the situation. I've been asking the SOS for
13 cases since December 31st ready -- and so I don't have
14 any cases ready for presentation except for the ones
15 coming.

16 And Mr. Chairman, if you could communicate
17 with them, that would be great. We need cases ready.
18 If I started today, March the 18th -- we like to give
19 people notice before the meetings. And you see that
20 we're up against the wall if we started today. I don't
21 even have the cases or the names of the people to
22 notify. And it's not because I haven't been asking for
23 them. I have --

24 VICE CHAIR JOHNSTON: Right. We're on --
25 we're on the 30-day notice now.

1 MR. MILLS: We are. And I want to say, Mr.
2 Caleb Groves, I hope this will be news for you. Now,
3 you wrote about this board all summer.

4 VICE CHAIR JOHNSTON: We're counting on you.
5 We're counting on you.

6 CHAIR FERVIER: We continued the Fulton County
7 discussion, right? We continued the Fulton County
8 discussion to next time, right?

9 VICE CHAIR JOHNSTON: Yes, we did.

10 CHAIR FERVIER: So we'll want to put that --
11 certainly, that's a -- and we'll have some people coming
12 in to speak about that.

13 MEMBER GRUBBS: There's continued cases that
14 we heard yesterday.

15 CHAIR FERVIER: Yeah. And -- well, I'm just
16 saying, that one and Chatham County also, right? So I
17 imagine those will take a good day, each of those. So
18 probably, we'll decide whether they need to go first or
19 last and get everybody else out here. So we'll -- I
20 mean, there will be a couple -- it will take a couple
21 hours. Certainly, it will be a one-day meeting.

22 MR. MILLS: They will. But we need to keep
23 working through cases because even though we don't have
24 them, I have looked at some of the ones that were
25 active. We still have cases from 2020, 2021.

1 MEMBER KING: Active? That they're actively
2 investigating right now.

3 MR. MILLS: Yes.

4 VICE CHAIR JOHNSTON: Yes.

5 CHAIR FERVIER: You have a list of the cases
6 we haven't heard yet?

7 MR. MILLS: Not that are ready for
8 presentation.

9 CHAIR FERVIER: But just a -- just a list.

10 MR. MILLS: I have what they sent me as --
11 which is a compilation of both of them, an attachment.

12 VICE CHAIR JOHNSTON: In investigation?

13 MR. MILLS: Yes. It --

14 CHAIR FERVIER: Can you -- can you break out
15 the ones that we have not heard yet? Or -- I mean, you
16 can go -- you can probably go through the entire list.
17 Just highlight what's heard and what's not been heard.

18 VICE CHAIR JOHNSTON: What they sent has not
19 been heard.

20 MR. MILLS: Right. That's right. The whole
21 -- the whole attachment has not been heard.

22 VICE CHAIR JOHNSTON: Right.

23 MR. MILLS: It's either --

24 CHAIR FERVIER: Okay.

25 MR. MILLS: -- in active investigation or some

1 of them are under review for presentation. Right?

2 CHAIR FERVIER: Please send that to me.

3 MR. MILLS: Okay. Uh-huh.

4 VICE CHAIR JOHNSTON: Director Mills, point
5 privilege. The meeting cannot end without a word of
6 thanks to some people if I may.

7 CHAIR FERVIER: So we're not ending yet.

8 VICE CHAIR JOHNSTON: I know. I know there's
9 public comment. But let me just take a moment to give
10 thanks and gratitude to the State Election Board staff.
11 One, Autumn Miller, recently departed not -- from work,
12 not -- from work, not departed -- from work at the State
13 Election Board -- was our paralegal that carried the
14 load under stressful conditions, secondary to many open
15 records issues in a lawsuit, and helped with that in
16 many ways. Autumn was dedicated, detailed, determined
17 to provide the public records on behalf of the State
18 Election Board, despite American Oversight lawfare and
19 greed.

20 Shaun White, Autumn's, ORR officer
21 replacement, has filled the gap quickly and
22 professionally. He is an awesome addition to the State
23 Election Board and eases the load of voluminous and
24 sometimes vague and voracious record appetites of the
25 AJC, Charles Minshew, even Caleb Groves, Mark Niesse,

1 AP, Justin Glawe, Guardian, Loree Stark, American
2 Oversight, Campaign Legal Center, New York Times, et
3 cetera, et cetera. We aim to please and we will get
4 those public records produced as quickly and timely as
5 we can.

6 Jesse Patton and Ann Delmas are our
7 investigators. They're so valuable in working to obtain
8 information from the Secretary of State investigators,
9 from complainants and respondents to assist with the
10 update and planning of our meetings.

11 Hope Coan -- our hero of the day is Hope. The
12 State Election Board meeting could not take place
13 without Hope. Our hearts are sorrowful for her recent
14 loss of her beloved mother and we pray that she'll find
15 peace and comfort in knowing that her mother is in a
16 better place.

17 Hope has introduced and educated the board to
18 use a fantastic digital binder. She has been able to
19 provide cases for review well ahead of the scheduled
20 meeting, which improves our opportunity to thoroughly
21 understand the complaints and investigations. Thank you
22 very much.

23 And, of course, James Mills. Yes. The best
24 for last, James. Hooray for James and all that he's
25 accomplished in a short seven months despite walking

1 into a void of a new agency operation, James has had to
2 reconstruct the old, construct the new, and yet to come
3 for the State Election Board.

4 I want to thank James for the many hats that
5 he wears for his unquestionable commitment to serving
6 Georgia citizens, election laws, and the United States
7 of America. I'm proud to work with such a principled
8 person, James Mills, our executive director.

9 Could we all just give a round applause?

10 (Applause.)

11 VICE CHAIR JOHNSTON: Thank you.

12 MEMBER GRUBBS: Mr. Chair, I have a question.

13 CHAIR FERVIER: Of course you do.

14 MEMBER GRUBBS: Oh, I know. I know. It's not
15 a subpoena, though. So this goes to the rhetoric that
16 is jammed up by people. My mind goes to a recent video
17 that I saw of one of the Fulton County Board of
18 Commissioners talking about how we are coming for their
19 votes and we're going to steal the votes and all that
20 kind of stuff.

21 And that kind of tone, tenor, and statement
22 just needs to stop. We're not coming for anybody's
23 votes. And I just received an email that said, election
24 denier, and then it goes on, and it's a very threatening
25 email. And so I have not been instructed on what to do

1 with threatening emails.

2 CHAIR FERVIER: I'll tell you what to do with
3 them.

4 MEMBER GRUBBS: Okay. I would appreciate
5 that.

6 And I am asking the press and Fulton County to
7 please stop with dangerous rhetoric that is simply not
8 true. We want fair elections in Georgia. We want
9 auditable elections, and we want truth for all
10 Georgians. And to use this in campaign speeches to try
11 and denigrate others or to -- it is dangerous. Because
12 in this email it says that, you know, What will happen
13 in Atlanta won't be anything compared to Minneapolis.
14 That is dangerous to Georgia citizens, and people need
15 to stop with the outrageous --

16 CHAIR FERVIER: Send me that today.

17 MEMBER GRUBBS: -- stuff. I will. I'll send
18 it to you right now.

19 CHAIR FERVIER: Are you finished?

20 MEMBER GRUBBS: I'm done.

21 CHAIR FERVIER: Let me make a comment.

22 Members of this board have received death threats and
23 all kinds of threats over the last couple years --
24 couple years I've been on it. I'll tell you now and
25 anybody listening that if you send a threatening email

1 to this board or threaten any member of this board, I
2 will turn you over to the GBI personally.

3 We will not stand for that kind of actions. I
4 don't care who you are. We will not stand for it. I've
5 done it already. I did it again last week. If you send
6 me something threatening or any member of this board and
7 the board can it send to me, you will go to the GBI and
8 they will take action against you, so.

9 MR. MILLS: All right. Let's go back to the
10 public comments now and we'll do with our -- deal with
11 our two that are online.

12 MEMBER GRUBBS: Is Daniel White -- is Daniel
13 White online? He was saying that the link yesterday did
14 not work. I think he's trying to join for public
15 comment. Yeah. He's the attorney for Cobb. I just got
16 an email.

17 CHAIR FERVIER: Okay.

18 MEMBER GRUBBS: I think -- I think he was
19 needing a link maybe.

20 CHAIR FERVIER: He needs -- he needs a link to
21 access it.

22 MEMBER GRUBBS: Unless I'm looking at an old
23 email.

24 CHAIR FERVIER: He's just watching.

25 MR. MILLS: I think that -- I think that was

1 yesterday he was on Zoom, but.

2 MEMBER GRUBBS: Okay. Just wanted to be sure.

3 MR. MILLS: Let -- let's go ahead and hear
4 right now from Dr. Konrad.

5 I think we have you on Zoom.

6 DR. KONRAD: Yes. Good morning. It would be
7 a gross lie -- violating my physician's oath to say that
8 the measles vaccine or Tylenol cause autism. Lying
9 kills. As a military officer, I swore an oath to defend
10 and uphold the constitution. I've studied and seen
11 firsthand how extremists work to kill democracy in
12 Haiti, Peru, and Iraq.

13 But yet a convicted felon has -- has convinced
14 his devotees and minions and sometimes even very
15 well-meaning individuals of the big lie immigrants stole
16 the 2020 election and that non-citizens have ever voted
17 in numbers that swung an election.

18 Indeed, analysis of the right-leaning Heritage
19 Foundation's data looked at -- since that -- since 1980,
20 there were just 68 cases of actual non-citizen vote
21 casting. A Brennan Center analysis of about 23.5
22 million votes in 42 jurisdictions in 2016's election
23 found 30 non-citizen cases referred for investigation,
24 though not necessarily found at fault -- a whopping
25 0.0001 percent of the votes. Some appear to have been

1 unlawful residents misinformed by a government official
2 they were eligible to vote.

3 Ronald Reagan said, There are no degrees of
4 honesty. And that quote -- if we have integrity to do
5 what is right, freedom will not only survive, it will
6 triumph.

7 MR. MILLS: 20 seconds.

8 DR. KONRAD: Who will tell a high school
9 student that, Yes --

10 MR. MILLS: 20 seconds.

11 DR. KONRAD: Yes. A few extremists. And I
12 hope we dismiss them and educate them. No large vote
13 has been switched by immigrants at any time. Thank you.

14 MR. MILLS: Thank you, Dr. Conrad.

15 CHAIR FERVIER: I want to clarify something
16 real quick. The sign-up list is closed at this point.
17 We've added who is going to speak. And anybody that's
18 watching online, the people that are speaking online
19 were here yesterday and were able to sign up on the list
20 and were not able to make it today. So we allowed them
21 the opportunity to speak via Zoom. So anybody watching
22 via Zoom, we're not adding any more to the list at this
23 point.

24 MR. MILLS: Thank you, Mr. Chairman. The next
25 person, I believe, on Zoom is -- oh, we don't -- did --

1 Mandy Schultz, are they still on?

2 MS. SCHULTZ: I'm here, but I was able to make
3 it in person. But I signed up physically. So I can
4 just wait my turn. I don't --

5 MR. MILLS: Okay. I'm sorry. Are you Mandy
6 Schultz?

7 MS. SCHULTZ: That's me.

8 MR. MILLS: Okay. Yeah. If you --

9 MS. SCHULTZ: You want me to come up?

10 MR. MILLS: Yeah.

11 MS. SCHULTZ: Okay.

12 MR. MILLS: If you'll come on forward. That's
13 okay.

14 CHAIR FERVIER: Let's make her go on Zoom.
15 You have to go on Zoom.

16 (Laughter.)

17 MS. SCHULTZ: I got my laptop.

18 CHAIR FERVIER: Oh, please.

19 MS. SCHULTZ: I didn't know what was going to
20 happen, so I was prepared for it all.

21 MR. MILLS: You're fine. You may begin,
22 Mandy.

23 MS. SCHULTZ: All right. Good morning. My
24 name is Mandy Schultz, and I am a Fulton County voter.
25 This board claims to champion transparency and -- and

1 protect Georgia's elections. And over the past morning
2 I heard words like sunlight and election integrity.

3 So let's talk about that and what's actually
4 happening. Two members of the board, Vice Chair
5 Johnston, Janelle -- Member King, served as FBI
6 witnesses and the board was simultaneously in active
7 litigation to obtain the exact same materials the FBI
8 sees from Fulton County's warehouse. They didn't want
9 to pay court county costs or wait for due process, so
10 they worked around it. That is not transparency. That
11 is a raid laundered through federal agencies. Then Vice
12 Chair Johnston and Member Grubbs went on Steve Bannon's
13 War Room to celebrate before the facts were even public.

14 The SEB already investigated these same Fulton
15 County claims in 2024 and found no fraud, no
16 malfeasance, nothing. But now there are new members, so
17 we're doing it again and again. That is not oversight.
18 That is a vendetta.

19 And this board is still leaving the door open
20 to take over Fulton County elections. So let's talk
21 about who would actually be making that call. The same
22 Vice Chair Johnston who cited rules requiring three zero
23 tapes when the rules she was citing only requires one.
24 The same Member King who called poll tapes the holy
25 grail and swore under oath that provisional and absentee

1 ballots are different. They aren't. They're literally
2 the same piece of paper.

3 Some of y'all don't understand how elections
4 are run, or you do and you don't like the results.
5 Remember, King's husband is running for Secretary of
6 State. And congratulations. But she can't vote to take
7 over Fulton County elections when her husband is on that
8 ballot. Full stop.

9 And the conflicts don't end there. Vice Chair
10 Johnston --

11 MR. MILLS: 15 seconds.

12 MS. SCHULTZ: -- found the Inspector General
13 to have committed ethical violations and was still
14 collecting 30 K in donations from election officials who
15 answers to this board, which is like a judge accepting
16 money from defendants. Member Grubbs holds a leadership
17 position in the Georgia Republican Party while serving
18 on this board. That's not a potential conflict.

19 MR. MILLS: Your time has expired.

20 MS. SCHULTZ: That's a guaranteed one. Can I
21 just ask you this?

22 MR. MILLS: Your time has expired.

23 MS. SCHULTZ: Fulton County voters --

24 MR. MILLS: I'll say it again.

25 MS. SCHULTZ: -- deserve better than a board

1 using --

2 MR. MILLS: Your time has expired.

3 MS. SCHULTZ: -- our elections as a political
4 proving ground.

5 CHAIR FERVIER: Thank you.

6 MR. MILLS: Okay. Let's see. I believe Ms.
7 Jean Dufort.

8 MS. DUFORT: Good morning. And as the chair
9 of the Morgan County Dems, I want to take a minute to
10 thank you for what I witnessed towards the end of your
11 meeting last night. Those three ladies who tried to
12 register those senior citizens, they were my people.
13 They were my volunteers. And I want to thank you for
14 the understanding you you offered those volunteers, who
15 were trying their best to follow the law and got caught
16 up in these ever-changing laws.

17 You know, they locked those ballots directly
18 from that scene, that -- that assisted living facility
19 one, maybe one and a half miles past my office to our
20 election office and handed them to the election
21 director. So there was no intent for malfeasance. And
22 I want to really appreciate the way that -- that you
23 handled that, and I thank you.

24 But I would ask today -- you've heard the
25 statement, Justice delayed is justice denied, right? I

1 think we all grew up with that. Since the current
2 configuration of our Dominion Voting System -- was put
3 into place, something like 20 million votes have been
4 cast in Georgia. And far too many of those people have
5 had their rights under the law denied. They've been
6 subject to ballot secrecy violations, which you've
7 acknowledged from the dais that not one of them has been
8 able to read the vote that they cast as the law requires
9 because of that QR code.

10 We don't ever count -- rarely ever count the
11 printed text. So we don't even need to go into how the
12 voters verify and how much can they train them to
13 because that's not the vote. The vote is in the QR
14 code. 20 million violations have happened on your
15 watch, not you personally, but your body's watch.

16 MR. MILLS: 20 seconds.

17 MS. DUFORT: So justice delayed is justice
18 denied. I urge you today before the meeting closes to
19 make a resolution to find the violations that are
20 ongoing, to announce that the back-up balloting system
21 is the right way to conduct elections until the
22 legislature can formally address and find a permanent
23 solution. That is the law.

24 MR. MILLS: Time has expired.

25 MS. DUFORT: Please follow it.

1 MR. MILLS: Thank you. Next is Marla Tepper.
2 Is she here?

3 VICE CHAIR JOHNSTON: She's not here. I think
4 she sent in written comments.

5 MR. MILLS: Okay. Marla Tepper. Do we have
6 -- we didn't get a written. We -- we'll check and see.
7 I'll move on to the next.

8 Janet Grant?

9 MS. GRANT: My name is Janet Grant. I'm a
10 resident of DeKalb County, where I serve as an area poll
11 manager. Just since the January SEB meeting, I have
12 been alarmed by the avalanche of threats to our
13 elections. In addition to the FBI raid, we saw that
14 majority members on this board -- trumpeting it on Steve
15 Bannon and other right-wing podcasts, as well as
16 publicly calling for a takeover of Fulton County
17 elections -- and heard threats from our president to
18 nationalize election administration and the placement of
19 ICE agents outside polling places.

20 While a recent AJC poll demonstrated that more
21 than 80 percent of Georgians have a strong confidence in
22 our elections for 2026 and only 6 percent do not, these
23 recent events and the role of -- being played by members
24 of this board are undermining that confidence just as we
25 go into a major midterm election year.

1 2020 was a very challenging year for all of us
2 that participated in elections, implementing a new
3 complex election system in the middle of a pandemic in
4 which many experienced poll workers refused to work. As
5 a new poll worker and manager, I also had an entirely
6 new team and a new location.

7 And the positive election operational changes
8 since then cannot be overemphasized. With the support
9 of the DeKalb board, the County Commission, departmental
10 leadership changes, and investment and staffing and
11 equipment, our election system today is literally
12 unrecognizable from 2020. And I believe that's no
13 different in Fulton County. From what I've learned in
14 speaking with Fulton County peers, they're also
15 continuously improving operations. And this has been
16 borne out in independent reviews conducted in '22 and
17 '24. It is time to move on from 2020 and focus on what
18 this board can do to support all counties --

19 MR. MILLS: 15 seconds.

20 MS. GRANT: -- and serve the Georgia voters in
21 2026. Thank you.

22 MR. MILLS: Thank you. Gomez-Leineweber. Is
23 he here?

24 Okay. You're coming.

25 MR. GOMEZ-LEINEWEBER: Thank you. Good

1 morning, chair members of the SEB. My name is Kyle
2 Gomez-Leineweber, and I'm speaking on behalf of Common
3 Cause Georgia and our more than 15,000 members across
4 the state who care deeply about fair, secure, and
5 accurate elections.

6 I want to first recognize Georgia's election
7 workers, including those in Fulton County, who continue
8 to serve voters under increased intense scrutiny and
9 pressure. Across Georgia, election professionals have
10 faced conspiracy theories, harassment, and even threats
11 of political violence simply for doing their jobs.
12 These are public administrators and neighbors working to
13 ensure eligible Georgians can participate in our
14 democracy.

15 Today, a few members of the SEB expressed
16 support to the recent FBI raid seizing Fulton's 2020
17 election materials. Looking ahead, we urge attention to
18 downstream effects of this moment and caution as the SEB
19 considers future steps. As Georgia moves towards the
20 2026 election cycle, Fulton County will again play a
21 central role in administering elections in Georgia's
22 most populous county. Uncertainty and resource division
23 caused by an unprecedented state intervention could
24 introduce confusion and operational risk at precisely
25 the moment when stability and clarity are most needed.

1 The State Election Board is charged to obtain
2 and maintain uniformity in the practices and proceedings
3 of superintendents and to ensure compliance with Georgia
4 Election Law. Strong, evidence-based oversight
5 consistent with that statutory role is essential to
6 maintaining public confidence.

7 The purpose of state oversight as contemplated
8 in the statute is to improve performance and support
9 successful election administration. Georgia voters are
10 best served when experienced local officials are
11 equipped to do their jobs effectively --

12 MR. MILLS: 15 seconds.

13 MR. GOMEZ-LEINEWEBER: -- and when any state
14 action is narrowly tailored, evidence-driven, and
15 focused on measurable improvement. The question is not
16 whether -- the question is not whether Georgia will have
17 oversight, it's whether that oversight strengthens --

18 MR. MILLS: Time has expired.

19 MR. GOMEZ-LEINEWEBER: -- the administration
20 or destabilizes it when voters are counting on the
21 system to work. Thank you.

22 CHAIR FERVIER: Thank you.

23 MR. MILLS: Thank you. All right. Marissa
24 Pyle.

25 MS. PYLE: Hi, board members. Where to start?

1 Maybe let's start with the fact that two members of this
2 board served as witnesses for the FBI's warrant to seize
3 Fulton County's ballots while the board itself, as
4 mentioned previously, was already in active legal
5 proceedings to get those same materials within the
6 confines of law.

7 Or else that both members relied on
8 misconstruction, mis-contortions, and disinformation in
9 the information that they provided to the FBI,
10 characterizing missing records as potentially criminal
11 intentional acts, vastly mischaracterizing the roles of
12 election documents and raising allegations that have
13 already been found to be unsubstantiated in
14 investigations and cases before this very board.

15 Next, let's touch on the egregious behavior by
16 members of this board during media appearances since the
17 raid. One member appeared on Steve Bannon's War Room in
18 her SEB role with a Trump flag in her background. Both
19 members appeared on Bannon's show from the raid. Local
20 conspiracist media and shows including LindellTV, run by
21 billowing conspiracy theorist salesman Mike Lindell.

22 Concerningly, in media appearances, two
23 members made untrue statements about Fulton County
24 officials' actions, attributing partisan motives and
25 claiming that the officials blocked them from observing

1 the raid. Fulton County Police Department body footage
2 -- body camera footage, which I watched, captured
3 instructions given by the FBI contradicting this. FBI
4 officials forbade anyone except law enforcement, the
5 clerk of court, and the Fulton County Elections Director
6 personally, refusing the Fulton County Commission Chair,
7 Board of Elections Chair, and the county attorney access
8 to observe the scene.

9 MR. MILLS: 20 seconds.

10 MS. PYLE: Did either SEB member inquire as to
11 who made those decisions before making those statements?
12 These statements call into question the board's ability
13 to adjudicate matters regarding Fulton County and
14 anything resembling an impartial role. Despite what
15 members seem to believe, the votes of millions of
16 Georgians are not a toy to be broken out of impotent and
17 childish frustration when --

18 MR. MILLS: The time has expired.

19 MS. PYLE: From chasing garbage trucks to
20 collaborating with federal --

21 MR. MILLS: Your time has expired.

22 MS. PYLE: This board that's six years in the
23 past at the expense of everyone else.

24 MR. MILLS: Your time has expired. Okay.
25 Let's see. Adam Salo or Salom? I can't make it out.

1 Adam, are you here? Okay. Ben Hendrick --

2 MEMBER GRUBBS: Is not here.

3 MR. MILLS: Ben is not here. Rachel Glover.

4 MS. GLOVER: Good afternoon. My name is
5 Rachel Glover, and I'm the associate director at the
6 ACLU of Georgia's Voter Access Project, which works to
7 ensure that voting is accessible for all Georgians and
8 that Georgians have trust in the electoral process.

9 I'm here because Georgia voters deserve
10 confidence in their elections. The only clear outcome
11 of the continued investigation into Fulton County and
12 the 2020 election is a loss of public trust, not because
13 voters doubt the legitimacy of the 2020 results. Those
14 results have been reviewed, recounted, audited, and
15 upheld time and time again. There is no credible
16 evidence of widespread fraud. Continuing to re-litigate
17 from them weakens rather than strengthens our democracy.

18 Public confidence is now eroding because
19 voters fear their personal information is being -- is
20 not being kept confidential. The seizure of ballots and
21 election materials from the Fulton County elections
22 warehouse raises serious questions about voter privacy,
23 transparency, and whether proper procedures are being
24 followed.

25 Voters have the right to know that their

1 personally-identifiable information, including voter
2 rolls, poll books, absentee ballot envelopes, and
3 provisional ballot records is being handled lawfully and
4 securely. Yet these materials have been removed from
5 the secured county warehouse, and that is deeply
6 troubling.

7 Across the political spectrum, Georgians are
8 alarmed. Removing election records under these
9 circumstances sends a dangerous message that private
10 voter information may be exposed or misused. That fear
11 alone can discourage participation. And when voters are
12 discouraged, democracy suffers. The right to vote is
13 the cornerstone of our democracy. Protecting voter
14 privacy is essential.

15 MR. MILLS: 20 seconds.

16 MS. GLOVER: I implore you to put Georgia
17 voters first, safeguard their information, follow
18 established procedures, and build trust, not undermine
19 it. Every eligible Georgian -- Georgian deserves to
20 vote securely. Voting is a right. Thank you.

21 MR. MILLS: Thank you. Victoria Cruz.

22 MS. CRUZ: Hi. I am Victoria, citizen of
23 Oconee County. I just want to thank the board. I
24 appreciate the frank discussions that you had today. I
25 know it was uncomfortable at times, but fully in

1 compliance with the meaning of open meetings. No closed
2 door discussions should be allowed. Any -- any
3 uncomfortable discussions should be taking place in
4 public, and I appreciate that.

5 Okay. So the Constitution or the Declaration
6 of Independence said, Governments derive their just
7 powers from the consent of the government -- of the
8 governed, rather. Americans give and withdraw their --
9 that consent through elections. If we lose our ability
10 to withdraw our consent, then we've lost the very
11 essence of being a democratic republic.

12 Our votes need to be handled with the same
13 concern and caution as banks treat investors' money, and
14 they're not being treated that way. From the number of
15 cases seen yesterday, there are -- there were so many
16 complaints due to procedural -- deviations from
17 procedure.

18 The -- the people from Jones County who had so
19 many things that went wrong, and then Dr. Johnston
20 asked them if -- wouldn't it be easier if there were
21 paper ballots. For that election director to say
22 adamantly, No, maybe she feels better with the machines,
23 but the rest of us don't when we know that so many
24 things are going wrong. And one side, one political
25 party is not the only one that deserves confidence in

1 our elections. Some numbers were put out there that --

2 MR. MILLS: 20 seconds.

3 MS. GLOVER: -- 80 percent were happy with the
4 elections here. Well, I can tell you, a lot of people
5 that weren't Democrats are not happy with the elections
6 and they are losing trust in the -- in the elections and
7 may not vote. That may be a desired consequence, but
8 it's up to the State Election Board to listen to both
9 sides equally and follow the --

10 MR. MILLS: Time has expired.

11 MS. GLOVER: -- the evidence and do the right
12 thing.

13 MR. MILLS: Thank you. Gail Lee.

14 MS. LEE: Gail Lee. First, I want to thank
15 this board for being the one body that has taken the
16 concerns of Georgia's citizens seriously concerning
17 election integrity. You have not only made repeated
18 attempts to address the issues of election and voter
19 roll irregularities, but you have persisted despite
20 vocal legal opposition and threats. So, thank you.

21 Yesterday, this board touched on an area of
22 our election laws that has troubled me for some time.
23 There is an inconsistency between online and manual
24 registration applications to vote. An applicant whose
25 paper Voter Registration Application contains the name,

1 driver's license number, date of birth, or Social
2 Security number. That does not agree with DDS or Social
3 Security records under 21-2-220.1(b), quote, "Shall
4 nevertheless be registered to vote but shall we require
5 to produce proof of his or her identity at or before the
6 time that such applicant requests a ballot for the first
7 time." What -- unquote.

8 What can used to prove the identity other than
9 the usual ID? (c) says, Simply showing a utility bill,
10 blank -- or bank statement, paycheck, et cetera. No
11 proof of date of birth, driver's license number, or
12 Social Security number is required. Just name and
13 address. No one -- or we can't find who -- gets
14 deceased.

15 But if application is made online with the
16 same non-matching data, the application is to be
17 rejected according to 21-2 through 21.2 --

18 MR. MILLS: 15 seconds.

19 MS. CRUZ: (c)3. It seems to be the
20 consequences of this match in both methods -- the
21 consequences of a misdemeanor under both methods should
22 agree. Thank you.

23 MR. MILLS: All right. Richard Schroeder.

24 MR. SCHROEDER: So thank you. Thank you,
25 board. Oh, you've come so far. I got to dust off our

1 Bibles and let you know what Lord has to say about our
2 elections here.

3 In the beginning, God created heaven and the
4 earth. And then in 26 and 28, he reiterated it twice.
5 You know, like, when he says, Rejoice again, I say
6 rejoice. It's important. When he says, I give man all
7 dominion over all the earth. Two times, God gives us
8 dominion.

9 The first book, the first chapter, and the
10 first page of the Bible, I think it's pretty important.
11 Then we get this machine in place where we supposedly
12 vote on it and we have no clue. Is that my vote --

13 So we're trying to get SAVE act passed. We
14 got two Democrats, senators. Georgia has two Democrat
15 senators who have voted ridiculously to a normal person
16 in Georgia, because normally, Georgia would be
17 Republican. But because of the voting system, they
18 stole our dominion. We have to get our dominion back.

19 And I -- I thank you, the Coalition of Good
20 Governance. We're down there. Oh, Garland, Tamara,
21 Sandra, Arlene, me, we're down at the Curling trial.
22 And Haldeman swapped the vote right in front of that
23 Judge Amy Totenberg on the second Thursday. And she
24 should have ended it right there. We can't use these
25 machines that are so vulnerable. It's ridiculous.

1 That's why we're not in a voting booth anymore. All you
2 got to do --

3 MR. MILLS: 20 seconds.

4 MR. SCHROEDER: It's on page -- it's on page
5 46. All you got to do is put the hold button on and you
6 can change everything right on the setup page. That's
7 why we're not in a booth anymore. So let's get rid of
8 the machines and help President Trump go to paper
9 ballots on the day of elections. Thank you for your
10 brave and courageous efforts this time.

11 MR. MILLS: Time has expired.

12 CHAIR FERVIER: Mr. Schroeder, you may regret
13 this, but I want to let you know I appreciate our
14 conversation today.

15 MR. SCHROEDER: If you notice, I didn't call
16 your resignation today.

17 CHAIR FERVIER: I don't -- I don't -- and I --
18 (Laughter.)

19 CHAIR FERVIER: I appreciate our conversation
20 today. Thank you.

21 MR. SCHROEDER: I have all the reports here.
22 Any page out of the 60 pages should throw our Dominion
23 machines out. Help yourself.

24 MR. MILLS: Okay.

25 MR. SCHROEDER: And read it.

1 MR. MILLS: Time has expired. I'm sorry.

2 MR. SCHROEDER: Time is expired?

3 MR. MILLS: Thank you, Mr. Rich. Let's see.
4 Brian Parker.

5 MEMBER GRUBBS: He's not here.

6 MR. MILLS: Okay. Eileen Schroeder.

7 MS. SCHROEDER: I yield my time to Richard
8 Schroeder.

9 CHAIR FERVIER: Let him. Let him do it.

10 MR. MILLS: The chairman says, Let him do it.

11 MR. SCHROEDER: You and I getting along good
12 now, aren't we?

13 CHAIR FERVIER: We're close.

14 MR. SCHROEDER: I'm not done, though.
15 President Trump's attempting to pass the SAVE America
16 Act. In part, that will require electors to show a
17 voter ID. This is very popular with a majority of the
18 people who vote, but not so popular with Warnock and
19 Ossoff, our illegitimate Democrat senators.

20 This important bill could die at the hands of
21 our state senators. Yes, President Trump is probably
22 watching this. He's very concerned about Georgia
23 elections. I want to work the elections and the
24 midterms. I had to quit my poll worker job because I
25 have this book, and I know it.

1 And by the way, 3-34 says, The superintendent
2 in each county can go to the paper ballots if it's
3 impractical. If you have been involved in any of these
4 challenges of -- with the Dominion machines and the
5 voter rolls, you know it's impractical.

6 Here's the new voter -- and thank you for
7 that. 2022, Hall County was 110 percent more than the
8 voter-eligible people, but now it's 111 percent. And
9 here they are making improvements to the system. No.
10 This is ridiculous.

11 And so if there's any problems with the voting
12 process, the Secretary of State has an obligation. If
13 there's any problem, he has to immediately revoke the
14 Dominion machines and never use them again in the state.
15 This is 368. Come on. Let's use the law book.

16 You know, I had a shirt on with a password,
17 the password to the Dominion machines. And look at
18 this. I brought it up before the -- I didn't tell you
19 what it will do. The electorate --

20 MR. MILLS: 20 seconds.

21 MR. SCHROEDER: The electric management system
22 will create ballots, generate ballots, standard memory
23 cards, compute the tabulated results, perform other
24 election functions. And it's just the next page. It
25 says, Must be password protected, password locked at all

1 times.

2 MR. MILLS: Your time has expired, Mr.
3 Schroeder.

4 MR. SCHROEDER: It's the book. Read the book
5 and let's put it into place. I want to work this
6 election. I don't want to keep losing to fraud and --
7 proceed. Thank you.

8 CHAIR FERVIER: MR. Schroeder, thank you for
9 your service in the United States Army.

10 MR. SCHROEDER: God bless you.

11 CHAIR FERVIER: Thank you.

12 MR. SCHROEDER: I think Trump's going to be
13 coming.

14 MR. MILLS: Y'all need to go have lunch
15 together, I think.

16 MR. SCHROEDER: That's great. That's great.

17 MR. MILLS: Cindy Panos (phonetic) is next.
18 Cindy Panos?

19 Sandra Burchardt.

20 CHAIR FERVIER: Burchardt.

21 MR. MILLS: Burchardt. I'm -- I mispronounce
22 it every time. I'm sorry.

23 CHAIR FERVIER: You can pray for him to get it
24 right, but he's not going to do it. So it's --

25 MS. BURCHARDT: My name is Sandra Burchardt.

1 I am a woman of prayer. I am passionate about truth and
2 justice. For years, I have prayed for truth and
3 justice. I know my vote does not count, and I've done
4 everything in my power that it might change in this
5 state.

6 And I want to thank everyone for being so
7 involved. Salleigh Grubbs, you're amazing. You've been
8 equipped, and I thank God for your courage. James
9 Miller -- Mills, I'm sorry -- the words you speak bring
10 truth and light forth. Thank you for being faithful and
11 allowing public comments because the man before you did
12 not allow them. That took courage.

13 Dr. Johnston, I have prayed for with you and
14 it has been an honor and a privilege to see the way the
15 truth is being brought to life. And then we have
16 Janelle King. What a wonderful addition. Purchasing
17 your time so -- presenting time so that --

18 And then we have Hope Coan. Thank you, God.
19 I feel like you -- these people have been answer to
20 prayer for truth and justice and its coming forward. So
21 today, I have my hat on so that I can take it off on all
22 of you for your efforts. Thank you.

23 MR. MILLS: Thank you, Ms. Sandra, for your
24 encouragement to everyone. Thank you.

25 Beth Hendrickson. Not here. Evelyn Johnson.

1 Not here. Jay Augustine. Not here. Maria Gaudia?

2 CHAIR FERVIER: Gaudio.

3 MR. MILLS: Gaudio. Not here. Janet Hill.

4 Not here. Joseph Kirk.

5 MR. KIRK: Thank y'all very much for letting
6 me speak. I wasn't planning on it after. There were
7 some lingering questions, so I thought I'd just go ahead
8 and answer them while I was here. So I appreciate the
9 opportunity. It will be brief.

10 So what Firefly is, it's a training -- it's a
11 communications platform, full sets of communications
12 between state and counties. Some -- the county offices
13 have access to it for that purpose. Not every office
14 employee has access. Not every official has access to
15 that system. And GAVREO's organization does not access
16 that system. Some -- some of our members do through
17 their role as election administrators.

18 But there's nothing specific about GAVREO in
19 Firefly to link besides some role training materials
20 from conferences on there for folks to reference.
21 Because that's -- the Secretary of State uses that as
22 team education each year for election certification.

23 As far as regional meetings go, yes, those
24 happen. Those are through GAVREO. We have, I believe,
25 14 different regions across the state. They meet -- it

1 depends which region we're talking about, how often they
2 meet. The facilitators invite the speakers to those
3 meetings. If -- if any of y'all are interested in
4 coming to -- to one or more of them, please let me know.
5 I'll communicate it to them.

6 CHAIR FERVIER: One second. Give him five
7 extra seconds. I want to clarify this because I think I
8 learned this. GAVREO has a separate system that they
9 use to communicate with your members, right?

10 MR. KIRK: Yes. That's absolutely true.

11 CHAIR FERVIER: Okay.

12 MR. KIRK: So we have our own website as well.

13 CHAIR FERVIER: Which -- you have -- you have
14 your own system outside that you're communicating with
15 members with, right?

16 MR. KIRK: Absolutely. The Secretary of State
17 --

18 CHAIR FERVIER: Okay. That -- that's all.
19 That's all.

20 MR. KIRK: -- you got a state problem,
21 we're -- we're --

22 CHAIR FERVIER: Okay. That's all. That's
23 all. That's all. That --

24 MR. KIRK: Absolutely. So there are
25 reasonable means. If y'all would like to come to those,

1 please do let me know. I can let the facilitators know
2 and they can communicate about that as these come up.
3 We probably getting in the near future -- because of the
4 upcoming conference next month.

5 The -- but we do have our own websites. And
6 that's a new thing in the last year or so for us right
7 now. The only folks on there are our members. And our
8 current definition of -- for membership is county
9 election administrators, people in the office, not
10 necessarily poll workers. Nobody at the state level.

11 So there's no state board or agencies on there
12 right now or state employees. But it's -- we're looking
13 at it from the future. We haven't have time to address
14 that yet -- to give limited access to --

15 MR. MILLS: You have 15 seconds.

16 MR. KIRK: And if -- but if there's anything
17 you want to communicate to the members, if you don't
18 mind sending it to me, I'm happy to post that for you.
19 And then once we actually have the times down to talk
20 about it as a board, as an organization, we'll be happy
21 to bring other folks in on the basis.

22 MEMBER GRUBBS: Mr. Kirk?

23 MR. KIRK: Yes.

24 MEMBER GRUBBS: Is GAVREO a union?

25 MR. KIRK: No.

1 VICE CHAIR JOHNSTON: I believe GAVREO used
2 Firefly to coordinate opposition to citizen petitions
3 for rules in 2024. Is that true?

4 MR. KIRK: There is a system or a -- one of
5 the things on Firefly is called the Buzz. It's a
6 messaging board. And anyone with access can post stuff
7 there. That's an easy way to send stuff out to
8 everyone. So I'm sure there was stuff posted on there
9 about that. I've been through all of our emails as
10 well. So anything posted -- any emails available
11 requested that way. But I couldn't think specifically
12 what was said or -- that was a while -- while back.

13 MEMBER GRUBBS: Mr. Kirk, how do you feel
14 about the board having access to Firefly?

15 MR. KIRK: It's not my system to comment on,
16 but I can tell you from having access, there's nothing
17 earth shattering on there.

18 MEMBER GRUBBS: Well, I don't -- I'm not
19 looking for earth shattering. I'm just -- information.

20 MR. KIRK: I -- again, I don't think it's
21 appropriate for me to comment on that. But as far as
22 our systems go, it's just -- and we're discussing, you
23 know.

24 MEMBER GRUBBS: It's more what?

25 MR. KIRK: It's something more specific we can

1 -- within an organization for our system.

2 VICE CHAIR JOHNSTON: Did you understand that?

3 MEMBER GRUBBS: No.

4 VICE CHAIR JOHNSTON: No.

5 MR. KIRK: Sorry. I talk too fast. As far as
6 our system goes, GAVREO websites, we're looking at -- at
7 that and letting other folks into that -- state
8 officials, again, on -- on a limited basis because
9 they're technically members. But I don't think it's
10 right for me to comment on someone else's system and who
11 should have access to it.

12 CHAIR FERVIER: Could you get that?

13 MEMBER GRUBBS: Well, the -- okay. I got
14 that.

15 CHAIR FERVIER: Okay.

16 MEMBER GRUBBS: Thank you. The reason why I
17 asked is because in the email from Ms. McGowan, she's
18 saying that other people -- election officials would
19 feel intimidated if we had access to see what was going
20 on. Which, you know, you're an election official, so I
21 just thought I would get your opinion.

22 MR. KIRK: That's fair. And maybe a better
23 response would be -- because I'm sure I was speaking too
24 fast before. In most cases, anything posted to the Buzz
25 is -- is -- when it's working, comes through to our

1 emails as well. So pretty much anything on there is
2 public record.

3 VICE CHAIR JOHNSTON: Mr. Kirk, are those
4 emails subject to open records request?

5 MR. KIRK: Absolutely.

6 MEMBER GRUBBS: My understanding is, no one's
7 been able to get those emails.

8 MR. KIRK: No. I mean, I've responded to open
9 -- I saw a (indiscernible).

10 MEMBER GRUBBS: Thank you.

11 MEMBER KING: What's the date and time --
12 what's the date, time, and location that that came from?

13 MR. KIRK: Oh. That's -- we -- oh, the -- our
14 annual conference is March 1st -- March 22nd. As far as
15 the other meetings within the organization, I can check
16 on it.

17 MEMBER KING: It's March 22nd?

18 MR. KIRK: Uh-huh.

19 MEMBER KING: Where? Where is it?

20 MR. KIRK: That's in Athens. And something on
21 my list just to talk to you all the later about, if you
22 want to attend. So if you -- if that's something you're
23 interested in, happy to have that conversation.

24 MEMBER GRUBBS: Can you put it on your mailing
25 list, your email distribution?

1 MR. KIRK: There's not an email distribution
2 list. It just goes out with the membership website.

3 MEMBER GRUBBS: Oh.

4 MR. KIRK: That's part of the issue we had
5 personally when we took that step was we didn't have a
6 distribution list.

7 VICE CHAIR JOHNSTON: Mr. Kirk, could you send
8 an invitation to everyone on the board to that meeting,
9 please?

10 MR. KIRK: Yeah, sure. Well, it's more of a
11 conference than the meeting, but yes.

12 MEMBER KING: Yeah. I would like to hear it.
13 I mean, I think we all would like to know more about
14 your -- from your vantage point.

15 MR. KIRK: Absolutely.

16 MEMBER KING: So.

17 MR. MILLS: Yes. Have you already invited the
18 chairman?

19 MR. KIRK: No. I've not invited anyone yet.
20 Last year -- issued to the chairman directly. But your
21 investigator's lawyer reached out. I think we already
22 set up for -- for them to attend.

23 VICE CHAIR JOHNSTON: Do, do you invite the
24 Secretary of State personnel?

25 MR. KIRK: The Secretary of State's personnel

1 are involved because it's used as their continuing
2 education each year for the Election Certification
3 Program. The original certification goes through --
4 it's online through Firefly, currently. And they are
5 getting a new system. But right now that's through
6 Firefly. So they actually do teach some of the classes.
7 We have some outside presenters and then there's county
8 -- people from the county offices.

9 MR. MILLS: I know our two investigators are
10 coming, and I think you waived the conference fee.

11 MR. KIRK: Oh, absolutely.

12 MR. MILLS: And I say thank you for that.

13 MR. KIRK: Well, if any of y'all are coming,
14 we do the same thing for you.

15 MEMBER KING: Thank you.

16 VICE CHAIR JOHNSTON: Thank you. Does GAVREO
17 have lobbyists?

18 MR. KIRK: We do.

19 VICE CHAIR JOHNSTON: How many?

20 MR. KIRK: Two. Well, it's one contract, two
21 people.

22 VICE CHAIR JOHNSTON: And what did they lobby
23 for?

24 MR. KIRK: The way I always try -- this is
25 more education of implications of bills. We do have a

1 legislative policy stance this year. Can't remember if
2 I sent it to y'all or not, but I'm happy to send it to
3 you. It's the delayed limitation of -- should we keep
4 our ballots until next year just to have time to do it.

5 There -- if we wanted to do it, we had to
6 start last year. Some stuff about special elections,
7 pulling back on advancement requirements and looking at
8 different opportunities -- put on election day. And
9 there's one last that thing that I'm just drawing a
10 blank on, but. Like I said, happy to send it to you.

11 MR. MILLS: Thank you very much.

12 CHAIR FERVIER: Well, you had more than your
13 two minutes.

14 MR. MILLS: You started it, Mr. Chair.

15 CHAIR FERVIER: I did. I -- my fault. My
16 fault.

17 MR. KIRK: I was talking fast.

18 CHAIR FERVIER: Yeah.

19 MR. KIRK: That's right. Trying to be slick.

20 CHAIR FERVIER: My fault, so I accept the
21 blame.

22 MR. MILLS: All right. Next, I think, is --

23 VICE CHAIR JOHNSTON: We think you should come
24 back again and we'll have more questions.

25 MR. MILLS: David Ramsey.

1 MR. RAMSEY: Good day, ladies and gentlemen.
2 I am David Ramsey. I'm from Madison County. I'm a
3 farmer. And I hear that you're contemplating a takeover
4 of the elections process in Fulton County. I'm from
5 Madison and -- and I have a lot of respect for my Board
6 of Elections. If -- if that was contemplated for our
7 county, this room would be packed.

8 But I think you should be considering a couple
9 of things if you're going to do -- have more discussion
10 about the takeover. One is the legality of it. I think
11 that would be a challenged, of course, in court. And
12 you've had a lot of challenges in court. You haven't
13 won too many of them. So I wish you would think about
14 that.

15 And secondly, I think you should put some
16 thought into what's going to happen if you undertake the
17 discussion and decision in the absence of rules and
18 regulations and evidence that you will need to make a
19 positive decision about the takeover.

20 So please give this some consideration. I
21 don't want anybody to be embarrassed. I don't want this
22 board to be embarrassed. I don't want any of our
23 counties to feel that they're going to have any type of
24 embarrassment or difficulty because of this kind of
25 action. And since this is a precedent, it needs a lot

1 of thought. Thank you.

2 CHAIR FERVIER: Is that an Army head?

3 MR. RAMSEY: Sir?

4 CHAIR FERVIER: Is that an Army hat? I can't

5 --

6 MR. RAMSEY: Yes, sir, it is.

7 CHAIR FERVIER: Can you -- thank you for your
8 service.

9 MR. RAMSEY: Sure. I'm a Vietnam veteran, and
10 I served and would give everything to have these rights
11 remain with our citizens.

12 CHAIR FERVIER: You need to meet this
13 gentleman right over there. Another veteran -- Vietnam
14 veteran, so.

15 MR. RAMSEY: Sure.

16 VICE CHAIR JOHNSTON: Thank you for your
17 service.

18 MR. MILLS: Thank you. And Tamara Favorito.

19 UNIDENTIFIED SPEAKER: She's out in front.

20 MR. MILLS: Okay. Garland Favorito?

21 MR. FAVORITO: Yeah. In case I run out of
22 time. Thank you. On Monday, I filed my first SEB
23 complaint in 20 years. So you know that it must be
24 important. Unfortunately, the two people who needed to
25 hear the complaint, Chairman Pitts and Chairman Allen,

1 just walked out about five minutes ago.

2 Fulton County repeatedly and illegally refused
3 to provide an electronic copy of the 2020 general
4 election ballots that the FBI now has. In my 2024 and
5 2025 open records request, Fulton clerk and Election
6 Division -- Division officially replied four times that
7 they had no such ballots. This is after we had an
8 active order to preserve and unseal the ballots and
9 after the two-year ceiling requirement on the ballots
10 had legally expired.

11 On July 10th, 2024, the elector's division --
12 Marissa -- Marissa Pison replied, There are no
13 responsive documents to your request. On November 15th,
14 2024, the clerk replied, No such documents exist in the
15 requested format, even though they are required to copy
16 the documents under open records request law.

17 After working four years to get the General
18 Assembly to approve the transparency law because of
19 Fulton County and this -- their stalling, I tried again.
20 On January 15th, 2025, the clerk replied again, There
21 are no responsive documents and the new law does not
22 apply to them. So on February 19th, 2025 I sent it to
23 the Elections Division. They replied, There are no
24 responsive documents to your request. That has to be
25 four lies.

1 This is a systemic problem because Fulton
2 County was found by the Court to have violated an open
3 records request law, in my case, all the way back on
4 April 20th of 2021. Now, we all know why they've been
5 hiding the ballots for five years. It's because the
6 ballots don't confirm the electronic results that they
7 certified.

8 MR. MILLS: Your time is expired, Mr. Garland.

9 CHAIR FERVIER: Thank you, Mr. Favorito.

10 MS. FAVORITO: You want -- you want me to
11 yield my time to you?

12 MR. FAVORITO: Well --

13 MS. FAVORITO: I'll yield my time.

14 MR. FAVORITO: Oh, perfect. Well, I only have
15 one more sentence say.

16 I just -- I wanted the State Election Board
17 investigators to investigate this because we know that
18 the Secretary of State's investigators have a proven
19 track record of not investigating Fulton County
20 properly.

21 CHAIR FERVIER: Thank you.

22 MR. MILLS: Thank you. Ralph O'Connor, are
23 you here? He signed up yesterday.

24 CHAIR FERVIER: No.

25 MR. MILLS: And he's not here. And Mr.

1 Chairman, before I turn this back over, I just want to
2 say -- I guess my less than two minutes. And that is,
3 yesterday is known around the world to many people as
4 Ash Wednesday. And I think it's only proper for us to,
5 you know, at least from my personal persuasion -- let me
6 put it that way.

7 What Jesus did for me years ago, I will never
8 get over. And I'm thankful for it in every setting.
9 And I'm not ashamed of Jesus. I love him. I fall way,
10 way short of the example he's put in front of me. But
11 he is my Lord, and it is my goal to be like him. And
12 I'm a long, long way from that. Y'all have seen that
13 even in the meetings here. But on Ash Wednesday -- and
14 today being Thursday, it's proper to acknowledge what he
15 has done for me.

16 And I -- my thought has been this Mr.
17 Chairman. In the scriptures, it talks about Jesus was
18 praying in the Garden of Gethsemane and he said, Lord,
19 if you will just let this cup pass from me.

20 And, you know, he said, Nevertheless, not my
21 will, but thy will be done. And I thought about --
22 well, why did he want to drink that cup? Why did he --
23 I know it was a metaphor, but it's because all of the
24 bad, awful thoughts that I've ever had were poured in
25 that cup, all the bad deeds. And then I passed that cup

1 to Salleigh, and all of her bad thoughts, all of her bad
2 deeds --

3 John, all of your bad thoughts, all your bad
4 -- we -- all the way around this room and go all the way
5 back to all of the history of humanity. That was what
6 Jesus did for us on the cross. And so Ash Wednesday, I
7 just say, Thank you, Jesus. And thank you, Mr.
8 Chairman, for this time.

9 MEMBER KING: I second that.

10 CHAIR FERVIER: Thank you. Thank you. I
11 believe we have a comment from Member Grubbs.

12 MEMBER GRUBBS: Yes.

13 CHAIR FERVIER: Then I have some final
14 comments unless -- does anybody else -- any comments?
15 No. Okay.

16 Member Grubbs.

17 MEMBER GRUBBS: Thank you, Director Mills, for
18 that. And echo those sentiments as well. I would --
19 since we had public commenters who want to talk about me
20 going on Steve Bannon, I want to address -- you know,
21 that's why I talked about communication protocols and
22 things like that -- is that I very much believe in free
23 speech. And you can love Steve Bannon or you can hate
24 him. It makes no difference to me how you feel about
25 him.

1 But it's funny to me that people on the other
2 side of the aisle will say, You went on Steve Bannon.

3 And I'm like, Yes, I did.

4 And I also talked to ProPublica and I also
5 talked to the Washington Post, and I also talked to the
6 New York Times. And I also had done 11Alive news, like,
7 last week or the week before, three different
8 interviews. And I didn't see any one of them.

9 I don't go back. I don't seek to do the
10 media. But I understand that there are people out there
11 that are putting out that information, and I'm going to
12 speak against that. And every time my -- you know, I
13 have Mr. Gray's cell phone number saved in my phone, and
14 every single time he calls me, I answer his call if I
15 can. If I happen to be on the other line, I'll send him
16 a text message and say, I'll call you right back. And
17 always just try and call him right back.

18 So it is unfair to rage over Steve Bannon when
19 I talk to everybody I possibly can, because election
20 integrity is something that is deeply personal to me.
21 It changed my life in 2020. It's not about redoing
22 2020, it's about fixing everything from 2020 forward.

23 And so there are still, as you can -- if you
24 pay attention to the cases, there are tons of issues
25 from 2024. There's even tons of stuff 2016, 2017, 2018

1 that -- still cases that are out there that we don't
2 know what we don't know. And so, yes, I'll talk to the
3 press.

4 And yesterday I stood out here and talked to
5 MSNBC. And I talked to Donie -- what's his name? Donie
6 or -- I don't know. Marilyn could tell me who I'm
7 thinking about. But he -- you know, I sit down for what
8 I think is a very objective interview. And then what I
9 end up seeing on -- is it CNN, I think?

10 UNIDENTIFIED SPEAKER: It's CNN.

11 MEMBER GRUBBS: Yeah, CNN. And then it's just
12 completely different. So when you attack me for being
13 on Steve Bannon, personally, I have appreciated every
14 second I've been on Steve Bannon and I appreciate every
15 opportunity to get out the message that we need to stop
16 voting with these machines. We need hand-marked paper
17 ballots. We need our legislature to act and we need
18 verifiable elections.

19 So if you're going to criticize me for
20 speaking out, then criticize me for speaking to all of
21 the other liberal publications that I speak to, too.
22 Thank you very much.

23 CHAIR FERVIER: Thank you. I want remind
24 people once again that our next meeting is at -- March
25 18th at the Marietta City Hall. I want to thank Bartow

1 County for the use of these facilities. They are great.
2 They worked out great.

3 BOARD MEMBER: Barrow.

4 CHAIR FERVIER: Barrow. It's been a long day
5 and a half. I have -- I have -- I wrote it down.
6 Barrow County. I'm sorry. Yes. And Pat Graham, who
7 allowed this at Barrow County in the city of Winder. So
8 we appreciate that. I thank all of the participants for
9 the last day and a half that have been here
10 participating in this meeting. You make a very
11 successful meeting for the most part.

12 I want to thank the audience members and their
13 patience for this and the people who spoke. And I want
14 to thank all the people who participated in making this
15 meeting work. There are a lot of people that worked on
16 it. I don't think y'all realize how much time this
17 board puts in with no pay. You know, multiple days,
18 literally multiple days to go over 76 complaints and
19 everything else need to be done. And, you know, I
20 appreciate all that.

21 So the chair at this time will entertain a
22 motion for adjournment.

23 MEMBER GRUBBS: So moved.

24 CHAIR FERVIER: We have a motion. Is there a
25 second?

1 VICE CHAIR JOHNSTON: Second.

2 CHAIR FERVIER: All those in favor, signify by
3 saying aye.

4 (Ayes were heard.)

5 CHAIR FERVIER: This meeting is adjourned.

6 Thank you.

7 (The proceedings concluded at 1:13 p.m.)

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CERTIFICATE OF REPORTER

I, BRANDON ROBERTS, Certified Court Reporter
and Notary Public, in and for the State of Georgia do
hereby certify:

That I digitally reported the proceedings had
and the evidence given, and that said proceedings was
accurately captured with annotations, and that the
transcript is a true and complete record of the
proceedings.

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

IN WITNESS THEREOF, I have hereunto set my
hand this 4th day of March 2026.

Brandon Roberts

Brandon Roberts, GA-CCR, CER, CDR

MEETING
GEORGIA STATE ELECTION BOARD MEETING

February 19, 2026
Index: \$1,000..22nd

	86:18	135:15	115:3, 14,	2022
\$	144:11	15,000	16 121:9	130:7
	11	118:3	123:15	2023
\$1,000	45:25	158	125:2	88:9 92:1
66:25	46:6	19:1	128:3	2024
\$10,000	11,779	159	130:20	18:12
81:11	8:18	93:18	143:23	45:1, 17
82:2	110	15th	200-and-something	112:15
\$100	130:7	144:13, 20	26:21, 22	136:3
77:18	111	16-10-20	2016	144:4, 11,
	130:8	66:14	148:25	14 148:25
(	11alive	160	2016's	2025
	148:6	27:21	109:22	3:11, 12,
(c)	12,284	18	2017	23 4:11,
126:9	8:17	3:3	148:25	17, 24
(c)3	12,670	189	2018	5:12, 17
126:19	8:16	68:23	7:24	18:14
	126	18th	148:25	144:5, 20,
-	27:5	99:1, 4	2019	22
--the	126-year-old	101:18	94:18, 20	2026
58:6	26:24	149:25	2020	82:13
--these	129	1900	4:16 6:1	86:3
78:2	69:9	26:15, 16,	7:24 8:6	116:22
--typically	12th	23 27:3	12:13, 14,	117:21
22:13	3:11 4:24	1980	15 15:10	118:20
	5:4, 8, 9,	109:19	16:10, 14	20th
0	10, 12, 17	19th	19:7	145:4
	13	3:3	23:23	21-2
0.0001	9:23	144:22	40:2 79:9	126:17
109:25	14	1:13	86:7, 8	21-2-220.1(b)
	133:25	151:7	102:25	126:3
1	15	1st	109:16	21-2-231
	82:15, 20	69:22	117:1, 12,	63:22
1,300	92:18	138:14	17 118:16	21.2
8:13	98:19		122:12, 13	126:17
10	113:11	2	144:3	214
86:18	117:19		148:21, 22	70:1
10th	119:12	20	2020-type	22
27:21	126:18	30:4 69:6	20:19	117:16
		110:7, 10	2021	22nd
			102:25	
			145:4	

3:10, 12, 23 4:6, 11, 17 138:14, 17	368 130:15 4	68:15, 17, 20 8	138:5 139:15 140:11	72:25 accountabil ity 16:25 50:9 65:20
23 8:25	40 40:6	80 116:21 125:3	accept 141:20	accountable 11:10
23.5 109:21	42 109:22		accepting 113:15	
24 117:17	46 128:5 5	9 9th 27:20 A	access 18:10 31:15 34:19 47:22 48:3, 10, 11, 16, 20 49:2, 6 50:16 51:3, 4 53:11 54:8, 9, 12, 18, 21, 22, 25 55:2 108:21 121:7 122:6 133:13, 14, 15 135:14 136:6, 14, 16 137:11, 19	accounted 69:12 accounting 69:13 accuracy 15:1 88:10 accurate 50:4 66:6 72:20 118:5 accused 29:25 30:3 achievable 72:11 achieve 72:19 acknowledge 62:14 78:23 94:23 146:14 acknowledge d 89:11 91:25 115:7 ACLU 122:6 acquaintanc e 38:10
24th 83:10				
25 3:10				
26 127:4	50 19:14			
28 127:4	5th 18:12	Abbe 19:18		
28th 19:3 20:4 3	6 116:22 6,000 8:13 60 128:22 68 109:20 6th 18:14 7	ability 10:24 49:1 51:25 69:1 85:18 121:12 124:9 Abrams 7:25 absence 142:17 absentee 68:14 112:25 123:2 absolutely 53:12 59:12 70:13 74:5 90:25 134:10, 16, 24		
3-34 130:1				
30 33:12 40:6 69:6 76:12 109:23 113:14				
30-day 101:25				
300 9:3				
315 28:2				
31st 86:13 101:13				

act 41:13, 14 73:16 89:13 127:13 129:16 149:17	adamantly 124:22 Adams's 45:23 add 37:9 38:2 58:5 70:18 81:10 added 6:2 47:14 110:17 adding 110:22 Addison 37:22 38:2, 17 addition 104:22 116:13 132:16 Additional y 68:22 address 30:11, 12 34:20, 21 38:7 62:6 115:22 125:18 126:13 135:13 147:20 addressed 62:19 68:3, 6 79:9 93:3 addresses 9:23 17:13 38:6 41:1	addressing 57:4 70:1 adjourned 151:5 adjournment 150:22 adjudicate 121:13 adjudicated 28:4 administeri ng 118:21 administrat ion 15:23 72:23 116:18 119:9, 19 administrat ors 50:12 63:21 64:7 65:3 118:12 133:17 135:9 admit 61:1 64:11 adopted 45:4, 9, 18 46:1, 7, 9 47:17 adult 10:16, 17 advance 19:3 advancement 141:7 advise	57:4 98:6 100:23 advocated 48:4 afar 19:10 affect 93:21, 22 afternoon 122:4 AG 18:21 AG's 34:12 age 14:15 agencies 43:18 57:3 59:1 112:11 135:11 agency 24:5 48:18 51:19 66:22 67:5 106:1 agenda 3:5, 8 6:2 34:15 37:9 44:24 47:20 55:16, 17 60:13 63:21 65:6, 19 66:8 67:13, 22, 23 68:1 71:6 76:5 82:11	agenda's 5:24 agendas 36:21 agents 116:19 agree 12:18 13:21 29:17 57:10 61:15 63:16 66:7 67:11 75:2 78:5 80:4 126:2, 22 agreed-upon 17:25 agreement 55:21 agreements 36:4 agrees 40:22 ahead 74:23 75:3 105:19 109:3 118:17 133:7 aim 105:3 aisle 148:2 AJC 28:1
---	--	---	--	--

104:25	amendments	anymore	application	116:10
116:20	16:4	23:23	s	125:21
alarmed	America	128:1, 7	9:16, 18	areas
116:12	20:3 26:8	anytime	125:24	87:7, 8
123:8	106:7	32:3	apply	argue
Alexandra	129:15	AP	16:5	98:1
21:8, 15	American	105:1	18:24	argued
38:24	11:18	apologize	144:22	89:7
40:15	35:3	31:8	appoint	94:16, 24
41:8 44:9	104:18	app	61:4	95:11
allegations	105:1	9:23	appointed	argument
13:4 17:5	Americans	apparently	61:19	95:3
18:4	9:9 10:20	19:4 26:6	appointee	Arlene
24:15, 16	124:8	68:18	54:17	127:21
71:23	amount	appeal	appreciated	arm
120:12	46:25	60:7 89:7	149:13	13:24
alleged	74:13	Appeals	approach	Army
18:23, 24	76:7	89:21	36:24	131:9
92:10	81:18	appearances	appropriate	143:2, 4
94:21	83:4	120:16, 22	ly	arrange
alleges	Amy	appeared	76:10	40:19
87:7	127:23	120:17, 19	approval	Ash
Allen	analysis	appears	17:9	146:4, 13
143:25	109:18, 21	17:6 20:1	approve	147:6
allowed	Ann	appetites	3:8 4:8,	ashamed
46:18	105:6	104:24	10, 23	146:9
49:11	announce	applause	5:4, 11	asks
53:16	115:20	28:5	81:4	9:8
66:11	annual	106:9, 10	144:18	assemblies
110:20	138:14	applicable	approved	85:3
124:2	another's	72:25	4:22	Assembly
150:7	36:3	applicant	approving	33:17
allowing	answers	125:24	4:16 5:17	68:12
61:8 75:3	9:10	126:6	approximate	69:2, 20
132:11	113:15	application	ly	70:4, 25
amazing	anti-	56:1	55:13	71:3
132:7	tampering	125:25	April	85:10, 12
amended	87:15	126:15, 16	145:4	91:3
96:22	anybody's	area	assigned	144:18
amendment	106:22			
66:11				
83:17				

59:3 84:4	attempting	audited	aye	back-up
assist	129:15	122:14	4:18, 21	84:19
7:10	attempts	audits	5:19, 22	85:5, 14
105:9	125:18	8:15	21:21	88:12
assistance	attend	Augustine	44:20	92:25
18:17, 21	53:2	133:1	55:10	93:23, 24
33:2	98:22	authority	82:8	94:6
assisted	138:22	74:15, 16	151:3	95:16, 18,
114:18	139:22	86:10	ayes	25 96:2
assisting	attending	89:4, 8,	4:19 5:20	115:20
82:14	24:17	10, 13, 16,	21:22	background
associate	98:24	22 90:24	44:21	120:18
122:5	100:15	93:4	55:11	backlog
association	attention	94:16	82:9	28:2
49:7	61:25	95:7	151:4	backlogged
assume	118:17	authorize	B	28:3
29:10, 12	148:24	72:4 73:2	back	backs
assumed	attorney	74:9	3:4 8:5	36:3, 6, 16
70:15	18:17	81:12, 21	13:14	bad
assuming	36:21	82:1	17:23	11:2, 3, 11
77:4	56:22, 25	autism	19:24	146:24, 25
assured	57:4, 5, 9	109:8	22:23	147:1, 3
76:6	58:1, 7,	automated	43:1, 21	baffled
Athens	14, 19, 25	96:6	46:19	65:13
138:20	59:9, 14	Autumn	48:9	ball
Atlanta	60:4, 19	104:11, 16	51:15	10:10
107:13	61:2, 17	Autumn's	55:15	ballot
attachment	108:15	104:20	74:23	7:8 9:16,
103:11, 21	121:7	avalanche	79:2, 18	19 17:22
attack	attorneys	116:12	81:15, 25	46:18
149:12	33:6 59:4	avoid	88:5, 15	67:13
attacked	60:11	18:9	94:18	69:4, 7, 13
28:12	94:15	aware	98:23	70:8, 9, 17
attacking	attributing	6:15 48:7	108:9	83:18, 19
29:25	120:24	54:11	127:18	85:21
30:3	audience	62:17	136:12	87:8, 11
attacks	150:12	64:14, 23	141:7, 24	88:7
33:23	audit	awesome	145:3	90:4, 6, 8,
auditable	8:16	104:22	146:1	17, 18
107:9	87:14	awful	147:5	91:15, 24
		146:24	148:9, 16,	92:1
			17	93:19
				96:6, 7

113:8	124:13	98:10	births	20:9,10,
115:6	Bannon	127:3	51:12	15,17
123:2,3	116:15	behalf	bit	22:25
126:6	147:20,23	77:25	7:19	23:1,4
balloting	148:2,18	104:17	20:25	24:6 25:1
115:20	149:13,14	118:2	29:14,15	26:1
ballots	Bannon's	behavior	53:19	27:23
6:1 8:13	112:12	120:15	63:13	28:6
9:11 15:9	120:17,19	beholden	73:11	30:16,18,
16:7	barrels	16:2	97:8	19,22,24
17:22	14:5	beloved	blah	31:5,15
18:10,13	barriers	105:14	49:4	32:2,22
19:8,25	8:20	Ben	blame	33:25
20:10	31:14	122:1,3	141:21	34:23
68:15,16,	Barrow	Beth	blank	35:21
18,20	150:3,4,	132:25	126:10	36:10,16,
69:4,11,	6,7	Bible	141:10	18,19
14,15,19	Bartow	127:10	bless	37:4,5
70:2,17,	149:25	Bibles	131:10	38:1
22 83:20	based	127:1	blessed	40:23
90:9	77:8	bid	33:13	41:11
93:25	basic	56:5	blocked	42:21
94:4,8	16:8 17:5	Biden	120:25	43:23
95:23,24	basically	8:16	Blue	44:1,12
113:1	51:24	27:11	53:3	45:5
114:17	52:3	big	BMD	48:1,2,7,
120:3	71:13	109:15	67:18	24 49:8,
122:20	basis	bill	90:16	20,21
124:21	60:5	126:9	board	51:5,21
128:9	135:21	129:20	3:3,4,9,	52:5,23
130:2,22	137:8	billowing	11,22	53:20
141:4	beefy	120:21	4:17	54:9,17,
144:4,7,	39:24	bills	5:13,18	18,20,21,
8,9	begin	140:25	6:5,7,25	25 55:21
145:5,6	6:18,19	binder	12:9,23	56:9,18,
149:17	74:14	105:18	14:16	19 57:2,
banana	100:14	birth	15:8,18	24 58:9
10:23	111:21	51:11	16:1,12,	59:17
banished	beginning	126:1,11	13 17:4,	61:3,5
79:14	24:19		9,13,14,	62:3
bank	54:18		19 18:5,	65:25
60:3			16 19:4,9	66:9
126:10				71:2,19,
banks				20 72:2,
				4,15,22
				73:5,13,
				15 74:5,

25 75:5	139:8	128:10	56:3,12,	
76:13,15,	142:5,22	break	16 74:14,	C
20,22	145:16	11:12	18 77:17	
77:20,25	150:3,17	55:5,13	budget allo	calculator
78:6,10,	board's	70:10	ws	17:23
11 79:23	85:7	100:9,10	57:7	Caleb
80:11	89:4,9,	103:14	budgetary	102:2
81:25	15,18	Brennan	60:1	104:25
82:1,19	121:12	109:21	build	call
84:3,5,7,	boards	Brian	123:18	3:2 12:1
12 85:4,	15:22	129:4	bulletin	32:3 33:5
16 86:10,	70:11	briefly	47:13	76:14
16,17	body	35:18	64:18	100:21
87:9	15:18	bring	bulletins	112:21
88:13,25	36:23	25:19,20	48:6	121:12
89:3,7,	121:1,2	27:2,4	Burchardt	128:15
12,22	125:15	65:1	131:19,	148:14,
93:9,16	body's	74:22	20,21,25	16,17
94:12,23	115:15	80:19	called	17:18
95:6,9,	bogeyman	132:9	burdensome	18:16
20,24	91:1	135:21	79:3	28:14
96:10,19	book	bringing	bureau	33:24
98:3	127:9	27:1 78:6	6:20	76:14
100:22,25	129:25	broad	Burns	97:18,21
102:3	130:15	36:24	6:25	112:24
104:10,	131:4	92:19	business	136:5
13,18,23	books	broadcastin	4:2 5:25	calling
105:12,17	123:2	g	20:25	116:16
106:3,17	booth	14:17	56:24	calls
107:22	128:1,7	broader	57:21,22,	10:18
108:1,6,7	born	64:25	24 65:8	63:15
111:25	26:16,23	broken	busy	148:14
112:4,6,	27:3	11:16	79:20	camera
19	borne	121:16	button	121:2
113:15,	117:16	brought	128:5	campaign
18,25	box	17:14	buys	20:5
116:14,24	70:17	61:24	14:4	105:2
117:9,18	boxes	88:9	Buzz	107:10
119:1,25	19:14	130:18	136:5	campaigns
120:2,3,	46:18	132:15	137:24	27:9
14,16	brave	budget		canceling
121:7,22				
123:23				
125:8,15,				
21 126:25				
135:11,20				
136:6,14				

MEETING
GEORGIA STATE ELECTION BOARD MEETING

February 19, 2026
Index: candidate..chair

9:7	143:21	118:23	CGG	42:4, 12,
candidate	145:3	caution	88:15	16, 20, 24
8:24	cases	118:18	Ch	43:4, 9, 12
candidates	12:16	124:13	21:7, 14	44:6, 15,
96:6, 8	16:12, 16	CD	chain	18, 22
capability	17:4, 7, 9,	86:18	70:5, 7, 10	45:2, 12,
87:14	14 27:19	cease	chair	17, 21, 25
captured	28:2, 4	92:22	3:2, 21, 24	46:6, 8,
121:2	58:15	ceiling	4:1, 10,	10, 12, 17,
cards	62:22	144:9	14, 20	21, 22, 24
130:23	70:6	celebrate	5:3, 5, 7,	47:4, 7, 8,
care	71:6, 10,	112:13	9, 11, 15,	9, 11, 12,
19:25	11, 15, 17,	celebrated	21 6:6, 8,	20 52:16,
25:10	18, 22	101:4	14 11:21	18 54:7
108:4	72:10	cell	15:3, 5, 6,	55:4, 5, 8,
118:4	78:15	40:15	7 20:25	9, 12, 15,
carefully	79:5, 9	41:19	21:2, 4, 5,	19, 20
71:21	80:14	42:2, 3,	6, 11, 12,	56:4, 11,
carried	89:3	10, 13, 25	13, 16, 17,	14, 21
55:18, 19	93:10	44:10	19, 23	57:10
104:13	100:23	148:13	22:2, 6,	60:12, 16,
carries	101:13,	Center	10, 13, 25	25 61:15,
4:21 5:23	14, 17, 21	105:2	24:15	22 62:19
10:12	102:13,	109:21	25:19, 23	63:20
carry	23, 25	central	28:10	65:5, 21
67:25	103:5	118:21	29:2, 24	66:3
carryover	105:19	certificati	30:3, 8,	67:6, 12,
56:23	109:20, 23	on	13, 19, 21,	15, 19, 21
67:23	120:14	45:9	23 31:1,	68:2, 5, 8,
cars	124:15	133:22	17, 20, 23	10 71:5, 9
53:15	137:24	140:2, 3	32:2, 5,	73:1, 6,
case	148:24	certified	11, 13, 17,	17, 19
17:24	149:1	8:18	19 33:10,	74:3, 7
22:11, 15	cast	47:15, 16	15, 20	75:1, 15
23:9 40:7	8:20, 21,	145:7	34:9, 17,	76:2, 11
58:14	22 70:17,	certify	25 35:1,	77:2, 9,
59:1, 7	22 115:4,	70:12	5, 11, 14,	13, 18, 21
60:5	8	cetera	17, 19	78:5
72:13, 17	casting	88:7	37:6, 10,	80:25
89:5, 6, 19	87:11	105:3	12, 16, 18,	81:15, 19,
100:18	109:21	126:10	22 38:1,	20 82:4,
	caught		17 39:1,	7, 10, 16,
	114:15		7, 8, 10	18 83:2, 6
	caused		40:16, 21	93:5, 8,
			41:7	12, 21, 24
				94:2, 5, 8,
				11 96:18,

24 97:13, 16, 20, 23 98:2, 5 99:6, 8, 9, 15, 19, 21, 23, 25 100:3, 5, 8, 13 101:7, 10, 24 102:4, 6, 9, 10, 15 103:4, 5, 9, 12, 14, 18, 22, 24 104:2, 4, 7, 8 106:11, 12, 13 107:2, 16, 19, 21 108:17, 20, 24 110:15 111:14, 18 112:4, 12, 22 113:9 114:5, 8 116:3 118:1 119:22 121:6, 7 128:12, 17, 19 129:9, 13 131:8, 11, 20, 23 133:2 134:6, 11, 13, 18, 22 136:1 137:2, 4, 12, 15 138:3 139:7, 23 140:16, 19, 22 141:12,	14, 15, 18, 20, 23 143:2, 4, 7, 12, 16 145:9, 21, 24 147:10, 13 149:23 150:4, 21, 24 151:1, 2, 5 chaired 33:14 chairman 4:6, 20 5:1, 22 11:23 15:25 21:25 23:5, 25 24:8, 10, 19 25:12 27:18 31:22 33:24 35:16, 25 37:24 44:1 52:20 56:3 82:15 92:4 101:5, 16 110:24 129:10 139:18, 20 143:25 146:1, 17 147:8 chairman's 80:5 challenge 27:24, 25 challenged	142:11 challenges 58:17 130:4 142:12 challenging 117:1 champion 111:25 chance 97:7 change 7:20 91:6 128:6 132:4 changed 89:23 94:19 148:21 chapter 127:9 characteriz ing 120:10 charge 49:9 75:13, 16 charged 12:24 16:3 69:21 72:22, 24 119:1 Charlene 45:14 48:13 51:20 59:22 Charles 104:25 chasing	121:19 Chatham 49:17 102:16 check 47:19 70:16 116:6 138:15 child 14:3 childish 121:17 chilling 49:1 52:10 choice 10:13 choices 90:10, 18 choose 10:24 24:8 31:2, 18 choosing 80:9, 18 Chris 39:21 Churchill 20:23 Cindy 131:17, 18 Circuit 89:19 circumstanc e 96:3 circumstanc es 96:16	123:9 citation 95:11 cited 112:22 cites 90:11 citing 112:23 citizen 7:16 64:11 123:22 136:2 citizens 16:13, 15 106:6 107:14 114:12 125:16 143:11 city 9:4 66:23 99:2 149:25 150:7 claim 63:24 claiming 7:25 120:25 claims 111:25 112:15 clarificati on 91:5 clarified 57:18 clarify 110:15
--	---	--	--	--

134:7	115:18	8:23	65:15	53:21
clarity	cloud	Cohen	66:4, 5, 12	64:16, 20
118:25	53:7	25:15	67:8, 21	90:7
classes	clue	cold	71:5, 6	101:16
140:6	127:12	33:6	76:22	134:5, 9
claw	CNN	collaborati	78:11	135:2, 17
19:24	149:9, 10, 11	ng	92:11	communicate
clear	coached	collecting	98:3, 6, 8, 11, 16	d
7:17	33:14	121:20	108:10	32:25
31:11	Coalition	Collins	116:4	communicate
41:21	82:11	18:6	132:11	s
43:14	83:8	comfort	147:14	29:22
45:15	86:13	55:5, 13	Commission	communicati
51:13	127:19	105:15	16:1	ng
53:7	Coan	comment	117:9	48:8
59:11	105:11	6:9 12:4	121:6	49:12, 24
62:7, 15	132:18	65:10, 18, 19	Commissione	134:14
85:8	Cobb	66:10	rs	communicati
88:13, 14	36:1	98:9	19:17	on
91:6	86:15	104:9	106:18	39:14
93:17	108:15	107:21	commitment	48:4
94:3	code	108:15	106:5	61:23
98:20	15:20	136:15, 21	committed	62:17
122:10	17:6	137:10	113:13	64:15
cleared	18:25	147:11	committee	147:21
71:13	50:3	commenters	22:23	communicati
clerk	64:13	147:19	23:25	ons
18:7	65:16, 24	comments	27:4	45:7
19:20	66:1, 14	4:6, 25	33:21	133:11
121:5	67:2, 3	6:6 11:22	34:5	compared
144:5, 14, 20	72:5	15:2, 4	35:25	107:13
Clerk's	74:17	24:25	53:3 56:4	compassion
63:22	78:21	28:25	committees	12:3
close	87:6	32:17	33:14, 16	compilation
86:19	90:11, 20	37:6	Common	103:11
129:13	115:9, 14	44:24	118:2	complainant
closed	codes	52:18	communicate	s
70:9	68:25	55:4	32:7 33:5	105:9
110:16	69:3, 22	60:12	40:9	complaint
124:1	85:22	61:22	49:15, 19	17:17, 19
closes	coding	62:10, 11	51:25	82:12
		63:20	52:5	86:14

87:3, 7	84:18	85:18, 19	60:11, 13,	considerati
88:5, 16,	88:2, 11	86:11	17, 21, 25	on
23 92:13	97:4, 6, 11	117:16	61:3, 5,	72:3
143:23, 25	components	conducting	17, 19	73:14
complaints	84:18	79:7	113:18	142:20
16:11, 13	compute	conference	conflicts	considered
17:7, 17	130:23	14:21	113:9	29:9
72:13	conceals	99:12	confused	considers
73:4	66:15	135:4	18:7 43:7	118:19
80:21	concern	138:14	49:8	consistent
81:23, 24	48:25	139:11	confusing	119:5
87:23	80:25	140:10	59:16, 24,	conspiracis
105:21	124:13	conferences	25	t
124:16	concerned	133:20	confusion	120:20
150:18	129:22	confidence	47:6	conspiracy
complete	Concerningl	59:11	118:24	7:17
18:3	y	76:9	congratulat	118:10
96:10	120:22	116:21, 24	e	120:21
completed	concerns	119:6	27:1, 19	constitutio
20:18	4:25	122:10, 18	congratulat	n
71:12, 14	125:16	124:25	ing	15:14, 15
82:1	concluded	confidentia	101:9	16:5
completely	151:7	l	congratulat	109:10
149:12	condemned	48:18	ions	124:5
complex	20:22	122:20	113:6	construct
117:3	conditions	configurati	conjunction	106:2
compliance	84:24	on	51:1	contact
84:8	85:2, 3	92:25	Conrad	63:2
87:5, 25	91:4	115:2	110:14	contacted
88:21	104:14	confines	consensus	6:20 64:8
89:23	conductive	120:6	10:4	77:5
91:8	72:18	confirm	consent	contacts
119:3	conduct	25:7	13:17	52:23
124:1	15:18	145:6	124:7, 9,	contemplate
complicated	16:6	confirmed	10	d
91:16	50:19	4:2 8:8	consequence	119:7
complied	72:19	25:4	83:19	142:6
12:11	81:22	46:15	125:7	contemplati
17:20	87:12	conflation	consequence	ng
comply	115:21	90:22	s	142:3
12:12, 22	conducted	conflict	126:20, 21	contested
13:1		58:6 59:3		
17:20				

46:9 86:4	controversy	correlating	95:6	112:9, 15,
continue	86:4	78:20	counting	20 113:7,
27:2	convenience	cost	94:4, 5	23 114:9
41:16	10:19	73:9 75:4	102:4, 5	116:10, 16
60:7	conversatio	costs	119:20	117:9, 13,
118:7	n	112:9	country	14 118:7,
continued	24:20	council	7:7 11:15	20, 22
31:4	25:3, 5	9:4	counts	120:23
54:21	29:16, 18,	counsel	8:17, 20	121:1, 5,
90:22	20 38:15	48:14	17:22	6, 7, 13
100:24	40:24	57:6	county	122:11, 21
102:6, 7,	90:23	59:3, 23	6:2, 10	123:5, 23
13 122:11	128:14, 19	60:13, 17,	7:22	124:18
continues	138:23	21 61:1,	12:2, 10,	130:2, 7
90:16	conversatio	5, 9, 17, 19	18, 22	133:12
continuing	ns	count	13:1	135:8
30:13	31:4, 6	8:12	14:12	140:7, 8
31:7	convicted	115:10	15:9, 22,	142:2, 4, 7
122:16	109:13	132:3	25 16:1,	144:2, 19
140:1	conviction	counted	2, 3 17:1,	145:2, 19
continuousl	66:24	8:23 9:12	20 18:8,	150:1, 6, 7
y	convinced	70:23	9, 22	county's
34:20	34:8	counties	19:5, 11,	49:1 89:8
117:15	109:13	8:13	16, 17, 23,	94:25
contract	coordinate	15:24	24 20:1	95:1
58:2 60:5	136:2	19:2	21:8, 15,	112:8
73:2	copy	48:5, 8	16 23:22	120:3
74:12, 16	4:24	49:12, 15,	26:13, 16,	couple
75:18	47:16	25 50:10	17 27:1,	22:4, 5
81:5, 21	144:3, 15	57:3	14 36:1	45:21
140:20	core	58:16	48:23	94:14
contracts	13:22	64:16	49:17	98:21
75:7	cornerstone	69:6, 9	50:1, 11	102:20
contradicti	123:13	86:17	52:2	107:23, 24
ng	correct	88:6, 11,	53:4, 6, 10	142:8
121:3	93:20	16, 20, 22	62:1	courage
Contrary	94:1, 10	92:22	64:22	132:8, 12
15:24	correcting	93:18	66:23	courageous
control	17:21	95:8 97:3	70:11	128:10
80:19, 21	correctly	117:18	84:23	court
controls	70:18	133:12	86:15	12:20
69:5		142:23	102:6, 7,	13:12
		counties'	16 106:17	18:7
			107:6	19:20
			111:24	

26:19	122:15	custody	day	107:22
46:3,5,9, 14,19	credit	70:5,7,10	4:3 6:17	debates
59:20	100:25	cycle	11:15	86:6
63:21	criminal	47:14	13:8	decade
64:7 65:3	26:3,7	118:20	14:15	9:21 10:3
68:18	120:10		19:9	decades
89:2,9, 15,21	critical	D	27:22	28:22
90:2	41:10		34:18,23	30:5
112:9	79:25	D&o	53:14	deceased
121:5	80:14	55:22	68:15,19,	126:14
142:11,12	criticism	80:8	20 69:18	December
145:2	12:13	dais	87:24	27:20
courts	criticize	115:7	94:9 96:9	83:16
83:21	26:8	damage	100:16	86:13
84:6	149:19,20	56:8	102:17	101:13
85:8,16	cross	dance	105:11	decide
93:3	17:17	18:8	128:9	75:5 84:7
cover	147:6	dangerous	141:8	102:18
83:4	crossed	107:7,11,	142:1	decided
92:18	52:8	14 123:9	150:4,9	54:19
covers	Cruz	Daniel	daylight	decides
66:16	123:21,22	108:12	37:2	9:6 24:6
crashes	126:19	dare	days	56:4,18
8:1	cup	27:7	11:6	deciding
craziness	146:19,	dark	76:12	61:12
16:10	22,25	7:11,12	150:17,18	decision
91:12	curious	data	DDS	31:20,23
create	19:19	44:14	64:6	34:14
96:12,14	32:22	109:19	126:2	61:16
130:22	Curling	126:16	deal	94:17
created	40:6 89:5	date	79:11	142:17,19
15:17,21	90:2	26:15	81:7 84:9	decisions
36:23	127:21	41:20	108:10	71:24
85:13	current	51:11,12	dealing	121:11
127:3	16:9	126:1,11	27:17	decks
creating	34:21	138:11,12	deals	71:14
74:4	48:24	David	17:24	Declaration
creation	72:19	17:17	65:16	124:5
95:24	76:19	99:20,21,	dealt	declare
credible	115:1	23 141:25	27:17	89:16
	135:8	142:2	death	

declines 61:17	degrees 110:3	127:14 129:19	62:22	19:20 40:1
dedicated 48:22 104:16	Dekalb 116:10 117:9	democratic 124:11	depends 134:1	destroyed 41:18
deeds 146:25 147:2	delay 18:4 76:8	Democrats 36:11 125:5 127:14	deploy 92:24	destruction 16:21 39:8
deep-seated 7:3	delayed 17:8 114:25 115:17 141:3	demonstrate d 116:20	deposition 39:20, 22 40:4, 6	detail 57:17 80:6
deeply 118:4 123:5 148:20	delegate 95:8	Dems 114:9	depriving 85:17	detailed 104:16
defend 28:20 32:8 109:9	delete 40:8 43:22	denial 87:1 88:24	depth 14:5 84:11 97:5, 8	details 69:20, 21 81:5 92:9 97:5, 7
Defendant 89:4	deleted 44:2	denied 51:5, 22 53:11 87:1 114:25 115:5, 18	derive 124:6	determinations 15:19
defendants 89:6 113:16	Delmas 105:6	denier 106:24	description 73:25	determine 76:24, 25 95:2
defending 11:6 32:1, 14 58:21	delusional 29:15	denigrate 107:11	deserve 13:22, 23 14:25 62:12 113:25 122:9	determined 84:2 104:16
defense 33:3	demand 69:5, 7	deny 18:25 25:9	deserved 22:12	deviations 18:25 124:16
defensive 36:18	demanding 10:18	departed 104:11, 12	deserves 123:19 124:25	device 43:22 66:16
defensively 84:11	demands 48:15	department 14:10 18:18 39:24 66:21 121:1	desired 125:7	devices 43:18
deficiencies 18:2	democracy 109:11 118:14 122:17 123:12, 13	departmenta l 117:9	desist 92:23	devil 69:21
defined 95:21, 23	Democrat 27:10 54:17	depend	destabilize s 119:20	devotees 109:14
definition 135:8			destroy 13:12	DHA 13:10
				dialogue

83:24	8, 9 31:12	80:23	17:8	documents
die	39:21	discharging	20:11	6:1, 23
129:20	45:6	80:10	dispensed	11:24
difference	55:23	discourage	3:6	15:9
95:18	60:2	123:11	disqualifie	16:7, 17,
147:24	62:23	discouraged	d	19, 21, 23,
differently	73:2	123:12	8:21, 22,	25 17:5,
13:8	74:10, 15	discovered	23, 25	11, 21, 23
differing	77:22	8:12	9:3, 5	18:10, 12
98:13	78:2, 3	discuss	disregarded	19:7, 15,
difficult	80:7	100:22	12:20	20 20:4,
10:17	81:12, 21	discussed	distinct	5, 10, 13
92:7	82:2, 24	24:12	90:25	21:9
difficulty	83:8	48:15	distinction	22:22
31:14	98:7, 18	55:21	92:16	57:23
76:3	100:17, 19	discussing	distributio	70:12
142:24	104:4	136:22	n	120:12
digital	106:8	discussion	138:25	144:13,
105:18	114:21	4:15 5:16	139:1, 6	14, 16, 21,
digress	121:5	21:20	distrusted	24
31:10	122:5	44:19	7:25	DOJ
direct	124:21	56:22	division	18:20
89:23	147:17	60:13	49:3	dollars
directing	director's	67:17	118:22	19:23
92:21	34:15	82:8	144:6, 11,	77:19
direction	directors	86:24	23	dominion
90:6	23:8	87:4	divisivenes	90:16
directly	53:21	102:7, 8	s	115:2
52:1	54:6	142:9, 17	86:4	127:7, 8,
62:21	64:21	discussions	do-si-do	18 128:22
63:1, 4	55:16, 22	49:2 97:8	18:8	130:4, 14,
74:2	directory	123:24	doable	17
114:17	52:23, 24	124:2, 3	70:3	donations
139:20	disagree	dishonest	document	113:14
director	67:7	28:15	39:9	Donie
23:10, 18,	disagreemen	disinformat	41:19	149:5
24 24:4,	ts	ion	66:19	doomed
11, 13	36:5	120:8	documentati	20:24
25:15	disappointm	dismiss	on	door
28:1, 12,	ent	110:12	70:8	9:22, 24
17 29:6,	33:9	dismissed	doors	112:19
	discharged			124:2

53:14	114:7, 8	earth	129:6	24 58:9
doth	115:17, 25	127:4, 7	Eisen	64:21
20:7	duplicate	136:17, 19	19:18, 22	68:15, 19,
double	17:21	eases	elect	20 69:18
9:11	duplicating	104:23	9:5	70:12
doubt	67:17	easier	elected	71:15, 19
122:13	Duplication	124:20	10:5 11:6	72:2, 3, 5,
download	67:14	easy	election	15, 22, 23
38:13	dust	7:15	3:3 4:17	73:5
downstream	126:25	62:25	5:12, 18	74:25
118:18	duties	136:7	6:1 7:6,	77:25
downtown	12:24	echo	14, 23 8:8	78:21
99:3	16:2	147:18	11:2	79:23
drawing	51:14	educate	12:14, 23	80:11
35:11	73:9, 22	93:14	15:8, 9,	81:23, 25
141:9	85:7 95:6	97:17	10, 18, 20,	82:1, 12
drawn	duty	110:12	23 16:1,	86:19
10:20	7:16 9:9	educated	7, 10, 12,	87:6
35:9	10:10, 13	105:17	13, 14, 15,	89:9, 12,
DRE	36:19	education	17, 18, 21,	22 94:9,
18:8 19:5	57:25	50:19	23 17:4,	22, 23
20:1 21:8	64:8, 10	133:22	5, 6, 11,	96:9
94:20	80:23	140:2, 25	13, 19, 21	104:10,
drink	84:5, 6	effect	18:1, 5,	13, 18, 23
146:22	86:11	49:1	10, 12, 16,	105:12
driver's	87:5	52:10	22, 25	106:3, 6,
126:1, 11	89:13, 22	effectively	19:4, 7, 9,	23
driveway	94:23, 25	9:7	12, 13, 14,	109:16,
59:10	95:1, 9	119:11	19 20:9,	17, 22
drop	dysfunction	effects	10, 15, 17,	112:2
10:10	al	118:18	19 26:9	113:14
dubbed	13:4	effort	27:11, 12	114:20
17:9	E	18:3	32:22	116:18, 25
due	earlier	efforts	37:5 40:2	117:3, 7,
27:18	71:11	9:14	41:11	11 118:6,
61:9 87:1	early	128:10	43:23	9, 17, 20
112:9	69:7, 10,	132:22	44:1, 12	119:1, 4, 9
124:16	11, 12	egregious	45:4	120:12
Dufort	94:9	120:15	48:5, 23	122:12, 21
82:14	Eileen	Eileen	49:7, 20,	123:8
			21 50:1	124:21
			51:21, 25	125:8, 17,
			52:5, 24	18, 22
			53:19, 20,	130:24
			21 57:2,	131:6
				133:17, 22
				135:9

137:18, 20	elector's	62:6, 20	employed	121:4
140:2	90:10	63:18	78:17	engage
141:8	144:11	79:17	employee	49:1
144:4, 5	elector-	106:23, 25	37:5 41:8	79:24
145:16	90:8	107:12, 25	133:14	engaged
148:19	electoral	108:16, 23	employees	80:11
elections	122:8	137:17	38:18	engagement
8:4 9:1	electorate	138:25	135:12	50:21
10:5	130:19	139:1	encounter	72:6
15:1, 15,	electors	emailed	29:11	engaging
16, 17, 22	129:16	79:10	encourage	80:12
16:6	electric	emails	50:20	enjoyed
19:17	130:21	28:14	encourageme	13:5
23:23	electronic	33:3	nt	ensure
39:21	90:4	34:2, 18,	132:24	63:17
49:3	144:3	19, 22	end	72:20, 24
50:12	145:6	35:1, 2	13:7 34:7	86:11
52:14	elephant	37:15	58:22	91:7
53:12	15:11	38:6, 19,	67:8	118:13
70:24	83:15, 18	25 39:1,	104:5	119:3
72:19, 21	84:3, 9	17 40:18,	113:9	122:7
85:18, 19	Eleventh	23 41:9,	114:10	entail
86:3, 5	89:18	15, 22, 23,	149:9	73:25
107:8, 9	Elias	24 45:13	ended	entertain
112:1, 20	19:18	48:9 52:2	46:2	4:7 5:1
113:3, 7	eligible	62:14, 24	127:24	150:21
114:3	110:2	63:1, 9,	ending	entire
115:21	118:13	10, 16	68:13	14:2
116:13,	123:19	107:1	104:7	27:13
17, 22	else's	136:9, 10	ends	29:13
117:2	98:11	138:1, 4, 7	68:19	31:15
118:5, 21	137:10	embark	energy	103:16
121:5, 7	email	72:9	32:9	entities
122:10, 21	32:22	embarrassed	enforce	20:12
124:9	34:20, 21	142:21, 22	84:5	entitles
125:1, 4,	37:8, 22	embarrassme	85:4, 6	73:10
5, 6 127:2	38:5, 7, 12	nt	87:5, 23,	entity
128:9	41:1	emergencies	25 88:16	33:1
129:23	45:12	96:11, 13	enforcement	50:16
141:6	48:21	emergency	85:7	58:10, 25
142:4, 6	52:3	95:17, 18,	90:21, 24	entry
144:23		21, 23, 24		
149:18		96:5, 9		
elector				
90:6, 7, 10				

66:20	event	executive	experiencin	109:11
envelopes	100:25	23:8, 10,	g	110:11
18:14	events	18, 24	58:18	
123:2	53:5	24:4, 11,	expired	F
environment	116:23	13 25:15	113:19, 22	
36:2	ever -	27:25	114:2	fabricated
equal	changing	28:12, 17	115:24	29:14
19:1	114:16	29:6, 8, 9	119:18	faced
equally	everybody's	31:12	121:18,	118:10
125:9	98:16	62:23	21, 24	facilitator
equipment	everyone's	77:22	125:10	s
117:11	47:25	78:1	128:11	134:2
equipped	evidence	82:24	129:1, 2	135:1
119:11	39:5	83:8	131:2	facilities
132:8	71:23	98:7, 18	144:10	150:1
erasure	90:16	100:17, 19	145:8	explain
10:22	122:16	106:8	7:7 95:17	facility
eroding	125:11	exercise	explained	114:18
122:18	142:18	26:2	30:15	fact
error	evidence-	exist	explanation	13:11
8:23	based	144:14	44:3	16:3
essence	119:4	existing	exposed	31:16
124:11	evidence-	87:23, 25	123:10	39:22
essential	driven	exists	express	43:17
70:24	119:14	91:8	33:9	49:17
119:5	exact	expect	expressed	58:16
123:14	29:5, 7, 12	3:15 7:5	48:25	65:13
established	77:23	36:15	118:15	66:17
123:18	112:7	37:1, 4	expressly	79:8 84:6
estimated	exceeds	expense	89:11	88:18
75:20	84:13	121:23	extensive	95:7 96:4
eternal	exchange	experience	56:1	120:1
46:13	48:24	29:11	external	facts
84:20	excluded	32:20	49:23	112:13
91:1	53:17	35:23, 24	extra	factual
ethical	excuse	36:2	134:7	39:11
113:13	37:21	experienced	extremely	failed
Evelyn	68:14	29:3	67:11	20:23
132:25	excuses	74:20	79:24	failure
	11:16	117:4	extremists	87:9
	55:2	119:10		fair
		experiences		72:18
		29:19		

107:8	151:2	89:2	Fervier	56:14, 21
118:4	favorite	112:11	3:2, 21	60:12, 16,
137:22	98:7	121:20	4:1, 10,	25 61:22
faith	Favorito	fee	14, 20	62:19
14:21	99:14, 24	140:10	5:5, 7, 9,	63:20
77:23	100:1	feel	11, 15, 21	65:5, 21
faithful	143:18,	22:21	6:6, 14	66:3
132:10	20, 21	42:1	11:21	67:6, 12,
fall	145:9, 10,	52:11, 12	15:3, 6	21 68:2, 8
146:9	12, 13	54:3, 4	21:2, 5,	71:5
false	Favorito's	56:25	11, 13, 17,	73:6, 19
24:16	45:21	62:13	19, 23	74:3
33:23	FAVOROTO	63:13	22:2, 6,	75:1, 15
66:17, 18,	145:14	79:1	10, 25	76:11
19	FBI	83:10	24:15	77:2, 9,
falsifies	6:16	97:2	25:19, 23	13, 18
66:15	14:11	132:19	28:10	78:5
Fancy	19:6, 10,	136:13	29:24	81:19
70:19	24 20:4,	137:19	30:3, 8,	82:4, 7,
fantastic	13 21:10	142:23	13, 19, 21,	10, 16, 18
105:18	26:2	147:24	23 31:1,	83:2, 6
farmer	53:15	feeling	17, 20, 23	92:4
142:3	112:5, 7	41:5, 8	32:2, 11,	93:5, 8,
fast	116:13	feelings	13, 17	12, 21, 24
8:6	118:16	53:19	33:10	94:2, 5, 8,
101:7, 10	120:9	feels	34:17	11 96:18,
137:5, 24	121:3	124:22	35:1, 5,	24 97:13,
141:17	144:4	fellow	11, 14, 17,	16, 20, 23
father	FBI's	33:25	19 37:6,	98:2, 5
14:3	120:2	felon	10, 12, 16,	99:6, 8,
fault	fear	109:13	18, 22	15, 19, 21,
109:24	69:24	felony	38:1, 17	23, 25
141:15,	122:19	16:21	39:1, 7, 10	100:3, 5,
16, 20	123:10	felt	40:16, 21	8, 13
favor	February	7:9 22:11	42:12, 16,	101:7, 10
4:15 5:16	3:2	30:16	20, 24	102:6, 10,
21:20	144:22	31:6	43:4, 9, 12	15 103:5,
44:20	federal	female	44:6, 15,	9, 14, 24
55:9	15:16	33:19, 21	18, 22	104:2, 7
80:12	16:20, 22	fend	45:12, 17,	106:13
82:8	18:18, 24	11:4	21 46:6,	107:2, 16,
	26:2, 4, 5		10, 17, 22	19, 21
	87:14		47:4, 8,	108:17,
			11, 20	20, 24
			52:18	110:15
			55:4, 9,	111:14, 18
			12, 15, 19	114:5

119:22	147:13	91:14	forgive	framework
128:12,	finally	fixing	38:23	16:9
17, 19	20:17	148:22	forgot	frank
129:9, 13	54:23	flag	8:13	59:6
131:8, 11,	64:11	50:16	79:19	123:24
20, 23	79:10	120:18	form	frankly
133:2	find	flipping	92:13	84:13
134:6, 11,	13:13	8:1	formal	91:17
13, 18, 22	24:22	focus	86:14, 21,	fraud
137:12, 15	25:1, 7	72:16	24	7:19
141:12,	59:1	117:17	formally	112:15
15, 18, 20	92:10	focused	115:22	122:16
143:2, 4,	105:14	119:15	format	131:6
7, 12	115:19, 22	folks	90:10, 19	fraudulent
145:9, 21,	126:13	52:11	144:15	66:17, 20
24	fine	133:20	forward	free
147:10, 13	66:25	135:7, 21	8:6 12:16	10:14
149:23	81:14	137:7	25:19, 20,	11:17
150:4, 24	111:21	follow	21 36:15	62:15
151:2, 5	fines	13:9	37:3	63:19
fictitious	88:2	24:13	56:13	67:11
66:17, 20	finished	45:3	72:1	147:22
fight	107:19	86:10	80:2, 19	freedom
14:3	Firefly	88:22	100:18	110:5
fighting	47:22	114:15	111:12	freely
13:13	48:3, 22	115:25	132:20	48:23
31:25	49:6	123:17	148:22	friends
52:17	50:24	125:9	fought	28:23
figure	54:8, 10,	follow-up	12:20	front
46:23	18, 22	86:20	found	62:3
filed	133:10, 19	footage	30:5	127:22
16:13	136:2, 5,	121:1, 2	41:12	143:19
20:2	14 140:4,	forbade	109:23, 24	146:10
32:24	6	121:4	112:15	frustration
33:1	firsthand	force	113:12	18:15
86:14	109:11	84:7	120:13	121:17
143:22	fit	forced	145:2	fulfilling
files	96:6, 7	10:16	Foundation'	16:2
89:19	five-minute	forget	s	full
93:10	55:5, 13	98:25	109:19	52:2
filled	100:9	fourth	13:24	77:23
104:21	fix			
final				

113:8	functions	gauntlet	generated	Georgians
133:11	130:24	81:2	16:10	107:10
fully	funded	gave	gentleman	116:21
51:1 60:8	60:8	6:25	143:13	121:16
123:25	funds	41:25	gentlemen	122:7, 8
Fulton	74:18	91:4	142:1	123:7
6:1, 10	78:8	gavel	George	Georgias
7:22	funny	100:18	20:21	118:13
12:10, 17	57:2	GAVREO	Georgia	get-go
13:10	148:1	49:5, 6, 24	3:3 9:21	70:16
14:12	future	51:1	12:6	Gethsemane
15:8, 25	118:19	133:18, 24	15:13, 14,	146:18
16:1	135:3, 13	134:8	17, 21	Ghazal
17:20		135:24	16:5 19:2	3:25
18:7, 8, 9,		136:1	27:13	53:10
22 19:5,	G	137:6	33:12, 16	give
16, 17, 23		140:16	36:10, 11,	32:9
20:1	Gail	GAVREO's	12, 13, 20,	55:24, 25
21:8, 15,	125:13, 14	133:15	25 46:2,	74:23
16 23:22	game	GBI	3, 5 47:13	75:5, 19,
26:13, 16,	83:11	108:2, 7	50:2 69:9	20 77:7
17 27:1,	gap	general	72:24	82:19
16 53:10	104:21	15:10	85:17	88:1 93:1
62:1	garbage	18:18	106:6	97:9, 12
102:6, 7	121:19	33:16	107:8, 14	99:13
106:17	Garden	61:3, 17	113:17	101:18
107:6	146:18	62:5, 6	115:4	104:9
111:24	Garland	68:12	117:20	106:9
112:8, 14,	99:14	69:1, 20	118:3, 9,	124:8
20 113:7,	127:20	70:4, 25	19 119:3,	127:6
23 116:16	143:20	71:3	9, 16	134:6
117:13, 14	145:8	73:24	122:9	135:14
118:7, 20	GARVIS	85:3, 10,	123:16	142:20
120:3, 23	47:22	12 91:3	127:14, 16	143:10
121:1, 5,	51:4, 22	113:12	129:22	giving
6, 13	gate	144:3, 17	Georgia's	9:4 12:4
122:11, 21	11:19	General's	84:12	glad
142:4	Gaudia	36:21	87:5	3:19 71:1
144:2, 5,	133:1	58:7, 20	112:1	Glawe
19 145:1,	Gaudio	generate	118:6, 21	105:1
19	133:2, 3	88:2	122:6	Glover
Fulton's		130:22	125:16	122:3, 4, 5
118:16			Georgian	123:16
fumbled			123:19	
83:22				

125:3, 11	83:9	71:19	14, 16	149:11
Gmail	86:14	gratitude	44:8	150:23
34:20	127:20	104:10	45:19, 23	Grubbs's
goal	governed	Gray's	46:25	47:21
146:11	13:17	148:13	47:5, 10,	77:1
goals	124:8	great	23, 24	guaranteed
74:19	government	27:24	52:20	61:19
God	10:11, 12	32:6, 7	55:3, 18	113:20
64:10	24:5	54:11	56:24	guard
127:3, 7	33:13	95:13	57:11	11:18, 19
131:10	66:22	100:25	59:16	Guardian
132:8, 18	110:1	101:5, 17	60:14, 17	105:1
God's	124:7	131:16	61:16, 24	guess
50:14	government -	150:1, 2	64:1, 2	28:3 33:7
Gomez -	39:2	greed	65:8, 23	51:10, 11
leineweber	government -	104:19	66:13	53:23
117:22, 25	issued	grew	67:10, 16,	99:3
118:2	42:25	115:1	20, 25	146:2
119:13, 19	governmenta	gross	68:4, 7	guidance
good	l	109:7	75:10	58:20
3:7 13:6	49:7	ground	78:13	guys
60:9 64:9	Governments	114:4	94:14	11:11
69:5	124:6	Groves	95:13, 15	
70:5, 7	governor	102:2	96:17	H
74:18	17:18	104:25	97:15	
77:24	61:4	GRUBB	99:5, 7	hacking
78:17, 19	89:20	3:19	102:13	8:1
82:12	governor's	Grubbs	106:12, 14	Haiti
83:8	36:22	3:16 4:13	107:4, 17,	109:12
86:14	61:18	5:14 6:4	20	Haldeman
91:13	Graham	11:23	108:12,	127:22
93:14	150:6	14:17	18, 22	half
102:17	grail	21:18	109:2	3:5, 6
109:6	112:25	35:16, 18,	112:12	114:19
111:23	Grant	20 37:21,	113:16	150:5, 9
114:8	116:8, 9	24 38:16,	122:2	Hall
117:25	117:20	21 39:5,	129:5	86:14
122:4	granted	13 40:20	132:7	99:2, 3
127:19	26:7	41:1, 20,	135:22, 24	130:7
129:11	50:7, 13	23 42:1,	136:13,	149:25
142:1	grateful	7, 14, 17	18, 24	
Governance		43:6, 10,	137:3, 13,	
82:12			16 138:6,	
			10, 24	
			139:3	
			147:11,	
			12, 16, 17	

hallway	53:3, 6	39:15	45:10	helplessly
53:2, 13	68:24	40:15	51:9	19:10
hamster	70:4	41:8	55:11	Hendrick
91:12	107:12	42:8, 12	57:20	122:1
hamstrung	111:20	44:9	70:6	Hendrickson
64:24	133:24	harvesting	71:11	132:25
hand	142:16	9:19	73:8, 12	Heritage
7:9 8:12,	148:15	Harvey	76:10	109:18
17 11:15	happened	39:21	82:9 87:3	hero
42:19	25:6, 8	hat	98:15	105:11
59:7	26:11	132:21	102:14	Hey
67:17	29:13	143:4	103:6, 15,	64:18, 21
94:4, 5	44:14	hate	17, 19, 21	hide
97:13	115:14	147:23	112:2	34:3
hand-marked	happening	hats	114:24	hiding
69:4, 19	31:13	106:4	116:17	145:5
70:2	88:6	HAVA	151:4	high
83:20	112:4	87:14	hearing	110:8
93:19, 25	happenstanc	he'll	4:15	highlight
94:6	e	38:10	5:16, 21	103:17
149:16	53:1	head	21:23	hilarious
handed	happily	143:2	44:19, 22	30:6
43:18	33:5	hear	59:20	Hill
114:20	happy	6:19	86:16, 24	133:3
handle	57:22	12:16	87:1, 2	hire
58:20	92:11	62:2 71:1	92:14, 17	60:4
84:10	95:10	80:5 81:8	heart	75:18
98:8	125:3, 5	87:3	42:18	hired
100:17	135:18, 20	98:14	hearts	11:11
handled	138:23	109:3	105:13	hires
114:23	141:2, 10	139:12	heaven	75:7
123:3	harassed	142:3	127:3	hiring
124:12	63:13	143:25	held	75:23
hands	harassment	heard	46:13	history
51:14	118:10	4:19 5:20	76:6 99:2	20:24
58:18	hard	16:12	helped	147:5
98:12	13:14	17:24	104:15	hold
129:20	50:12	18:20	helpful	11:10
happen	71:19	21:22	73:11	100:20
6:21, 22	78:22	24:24	95:12	
25:7, 8, 9,	91:20	25:8	helping	
11 29:21	Hardin	44:21	97:17	
36:8	38:24, 25			

128:5	hoped	53:18	130:13	imprisonmen
holds	6:22	husband	immigrants	t
113:16	hostile	113:5,7	109:15	66:25
holy	71:14		110:13	improve
112:24	hosting	I	impartial	119:8
home	54:1,2		121:14	improvement
16:4	hot	ICE	imperative	119:15
honest	83:11,14	116:19	70:13	improvement
10:17	84:4,9	ID	implement	s
36:17	hour	126:9	78:1,2	130:9
50:14	75:16	129:17	implementin	improves
65:12	77:19	idea	g	105:20
honesty	hourly	6:20	117:2	improving
13:23	75:19	54:11	implication	117:15
14:25	76:25	95:23	s	inability
36:14	77:8,10,	ideas	140:25	87:12
37:2	14	71:2	implore	included
110:4	hours	90:23	123:16	86:21
honor	71:21	identificat	important	includes
27:5	73:24	ion	16:8 22:9	45:19
132:14	75:20	75:22	24:12	68:17
honorable	102:21	identifying	41:16	including
33:19,21	house	74:10	43:17	15:25
honored	9:17	78:20	51:18	118:7
33:13	howls	identity	64:17	120:20
86:12	19:16	126:5,8	67:11	123:1
Hooray	huge	ignore	80:1	inconsisten
105:24	50:16	29:2	127:6,10	cy
hope	humanity	illegally	129:20	125:23
20:16	147:5	20:2	143:24	incorrect
27:2	hundred	144:2	impossible	51:11
35:19	77:19	illegitimat	89:17	increased
41:17	hundreds	e	94:19	118:8
65:11	26:14	20:2	impotent	incumbent
82:20,22	hurdle	129:19	121:16	88:19
98:20	46:4	imagine	impracticab	Independenc
102:2	hurdles	59:24	le	e
105:11,	46:4,15	102:17	89:17	124:6
13,17	hurt	immediately	94:20	independent
110:12	14:19	69:3	impractical	72:6
132:18			130:3,5	

117:16	65:1, 2	insurance	90:7	investigati
independent	73:11, 15,	34:16	intervened	on
ly	17 79:4	55:17, 22,	18:23	17:18
19:6 90:5	93:16	23 80:8	intervention	18:3 19:8
independent	105:8	integrity	n	20:14, 18
s	120:9	27:13	118:23	53:15
36:12	122:19	110:4	interview	62:1
indiscernib	123:1, 10,	112:2	8:8 149:8	75:14
le	17 136:19	125:17	interviews	79:8, 25
138:9	148:11	148:20	148:8	103:12, 25
individual	informed	intend	intimidate	109:23
29:24	29:4	84:24	54:14	122:11
52:1	initially	97:11	intimidated	investigati
individuall	46:9	intense	137:19	ons
y	55:20	118:8	introduce	15:19
41:12	initiate	intent	118:24	16:11
62:7, 20	74:24	97:3	introduced	17:7, 16
individuals	81:11	114:21	105:17	71:7, 10
63:24	ink	intentional	invalid	72:13
98:8, 21	14:4, 6	16:20	95:3	74:19, 24
109:15	input	120:11	invasive	78:15, 19
inexplicabl	59:8 78:7	interaction	57:21	79:25
y	inquire	79:15	invent	81:16, 17,
17:7	121:10	interest	87:19	23 105:21
inflated	insane	36:9	investigate	120:14
9:15	52:15	interested	17:5	investigato
inform	inside	134:3	23:21, 22	r
18:6	33:24	138:23	49:9 72:4	72:7 73:3
information	insist	interesting	73:4	74:11
37:25	7:6	36:7	80:14, 24	75:12
39:18	Inspector	39:19	145:17	79:10
40:1, 2, 8,	113:12	interfere	investigate	80:9, 10
11, 13	instructed	19:13	d	81:22
41:6, 21	85:4	53:8	18:23	investigato
44:14	106:25	interferenc	112:14	r's
45:6 47:1	instruction	e	investigati	rs
48:24	88:1	18:4, 15	ng	17:15
49:22	instruction	interpret	77:1	51:20, 21
50:2, 17	s	90:6	103:2	71:13, 16
51:7, 12	121:3	interpretat	145:19	75:17, 19
63:6, 7		ions		77:4, 12
64:20				78:16, 17,
				25 79:15

105:7, 8	61:24		8:19 10:7	81:15, 20
140:9	68:23	J	11:10	83:16, 23
145:17, 18	75:11, 14		14:13, 14	85:9 92:1
investment	78:13	James	63:9	101:24
117:10	80:20	105:23, 24	73:9, 24	102:4, 9
investors'	86:17	106:1, 4, 8	78:20	103:4, 12,
124:13	92:21	132:8	101:5	18, 22
invitation	100:21		129:24	104:4, 8
139:8	139:4	jammed		106:11
	issued	106:16	jobs	112:5, 12,
invite	12:10	Jan	79:21	22 113:10
134:2	39:2 43:9	33:20	118:11	116:3
139:23	139:20	34:9, 25	119:11	124:19
invited	issues	Janelle	John	132:13
53:25	7:10	112:5	101:2	136:1
54:4	26:10	132:16	147:3	137:2, 4
139:17, 19	27:16	Janet	Johnson	138:3
involved	37:1	116:8, 9	132:25	139:7, 23
13:11	46:20	133:3	Johnston	140:16,
32:21	49:14	Janice	3:24	19, 22
89:19	50:7	34:9	15:3, 5, 7	141:23
130:3	78:20	January	21:4, 6,	143:16
132:7	80:1	5:6 19:3	12, 13, 16	151:1
140:1	92:19	20:4	32:19	join
Iraq	104:15	116:11	33:20	108:14
109:12	125:18	144:20	34:10	joined
	148:24		39:8 41:7	6:24
ironic	item	Jay	42:4	Jon
13:13	3:8 4:23	133:1	45:2, 25	6:25
irony	5:24, 25	jazz	46:8, 12,	Jones
26:25	37:19	98:12	21, 24	124:18
irregularit	44:24	Jean	47:7, 9, 12	Joseph
ies	47:20	114:7	52:16	99:14
18:22	56:22	Jeffares'	53:9 54:7	100:7, 8
125:19	60:2, 13,	45:20	55:8, 20	133:4
issue	24 61:23	Jesse	56:11	
23:4, 6	63:21	105:6	57:10	judge
41:4	65:5	Jesus	61:15	26:3, 5
42:2, 8	67:13, 22	146:7, 9,	67:15, 19	89:12
44:8, 9	71:6 98:6	17 147:6,	68:5, 10	90:14
48:11	items	7	71:8, 9	95:5
49:13, 17	70:24	job	73:17	113:15
58:6			74:7 76:2	127:23
60:1, 19			77:21	
			78:14	judges
			80:4, 25	63:21, 23

February 19, 2026
Index: July..lawfare

 **ESQUIRE**
DEPOSITION SOLUTIONS

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lawfully	7:2 20:24	86:2	21:1	81:11
89:14	learned	legally-	88:24	96:2
123:3	20:18	required	letters	limitation
lawmakers	117:13	16:17	21:7,14	141:3
84:15	134:8	17:10	86:21	limited
laws	leave	legislate	88:1	35:20
58:12	63:6	87:21	letting	38:19
72:23	69:25	legislating	133:5	96:11,16
94:22	leaves	84:21	137:7	135:14
106:6	7:8	legislation	level	137:8
114:16	leaving	68:24	10:25	Lindell
125:22	112:19	69:2 71:4	31:14	120:21
lawsuit	Lee	legislative	65:20	Lindelltv
20:2	125:13,14	67:22	80:6	120:20
32:21,23,	left	68:1 91:5	135:10	Lindsey
24 33:1,	11:4,25	141:1	liar	88:18
3,24	12:7 33:6	legislature	28:14,15	lingering
41:11	42:21	12:24,25	liberal	133:7
46:14	69:15	15:13,17,	149:21	link
59:10	83:9	21 16:3	license	108:13,
104:15	98:19	36:23,24	126:1,11	19,20
lawyer	legal	49:9 60:8	licensed	133:19
139:21	8:25	68:9 69:1	72:6 73:3	list
lawyers	18:15	83:22,24	74:10,11	10:1 52:3
18:9	50:2	84:4,14,	81:21	70:18
94:24	57:14	22 85:16	lie	103:5,9,
lead	58:20	93:2	109:7,15	16
8:7,9,17	61:13	115:22	lied	110:16,
86:3	72:18	149:17	25:16	19,22
leaders	105:2	legitimacy	lies	138:21,25
10:24	120:4	122:13	144:25	139:2,6
14:21	125:20	lengthy	life	listen
leadership	legality	93:13	79:22	11:25
11:3	142:10	lens	132:15	125:8
13:22	legally	12:7	148:21	listened
48:19	85:19	lesser	light	26:13
61:10	86:11	53:18	7:10	listening
113:16	144:10	lessons	132:10	11:13
117:10	legally-	20:18	limit	107:25
leak	85:18	letter	63:14	literally
96:13	legally-	20:12	74:12	113:1
learn	conducted			

MEETING
GEORGIA STATE ELECTION BOARD MEETING

February 19, 2026
Index: litigation..Mandy

117:11	42:12	19:18	126:15	73:1
150:18	looked	lower	Madison	78:16
litigation	26:5	46:19	142:2, 5	82:19
46:13	102:24	LPI	magistrate	92:16
112:7	109:19	74:11	26:3, 4, 5	94:16
lived	looming	81:18	magnificent	98:23
9:25	68:23	lunch	28:6	107:21
lives	Lord	13:3	magnitude	110:20
9:17	91:13	131:14	76:17, 18	111:2, 14
79:21	127:1	lying	mailing	115:19
living	146:11, 18	29:13	138:24	121:25
11:5	Loree	109:8	maintain	142:18
114:18	105:1		30:16	150:10
load	lose	M	119:2	makes
104:14, 23	11:15		maintained	13:14
lobby	124:9	machine	16:20	34:6 52:7
140:22	loser	8:1, 16	40:1	66:17, 18
lobbyists	7:18	127:11	72:25	147:24
140:17	losing	machines	maintaining	making
local	125:6	85:24	119:6	10:18
53:6	131:6	87:16	major	11:16
119:10	loss	124:22	116:25	65:11
120:19	105:14	127:25	majority	66:4
location	122:12	128:8, 23	22:25	95:25
117:6	lost	130:4, 14,	116:14	98:9
138:12	124:10	17 149:16	129:17	112:21
locked	lot	made	make	121:11
114:17	7:2 11:23	6:9 18:20	4:8 5:3	130:9
130:25	15:10	21:13	8:19	150:14
logic	31:6	22:4	15:19	malfeasance
88:10	33:14	26:17	16:9	112:16
long	63:15	27:23	22:8, 15	114:21
7:24	66:5	38:3	28:25	man
27:22	78:18	43:17	29:21	127:6
47:3	125:4	66:5 68:8	31:11	132:11
146:12	142:5, 12,	69:11	42:7	management
150:4	25 150:15	71:24	43:15	130:21
long-	love	78:10	49:10	manager
22:17	146:9	85:8	51:18	116:11
longer	147:23	95:25	64:22	117:5
	Lowell	120:23	67:8	mandate
		121:11	70:4, 16	90:3
		125:17		Mandy

MEETING
GEORGIA STATE ELECTION BOARD MEETING

February 19, 2026
Index: manner..member

111:1, 5, 22, 24	91:19 93:5, 6, 11, 20, 23 94:1, 3, 7, 10, 13, 15, 18 95:14, 19 96:21, 25 97:18, 21, 25 98:4, 5	121:13 mayor 9:6 Mcgowan 25:4 45:14 48:13 51:20 59:22 81:2 137:17	meeting 3:11, 12, 23 4:11, 17, 24 35:21 38:1 42:9 44:12 53:1 57:2, 5 67:24 68:9 76:3, 6, 11, 14 81:1, 4, 8 83:16, 19 91:11 93:9 95:2 98:7, 10 99:1, 11, 12 102:21 104:5 105:12, 20 114:11 115:18 116:11 139:8, 11 149:24 150:10, 11, 15 151:5	3:15 4:8, 13 5:3, 6, 8, 10, 14 6:3, 4, 8, 15 9:5 11:21, 23 13:21 14:17 15:2, 3 21:18 29:2 30:1, 7, 11, 18, 20, 22, 24 31:10, 19, 21, 24 32:2, 5, 12, 15 34:1 35:4, 8, 12, 15, 16, 18, 20 37:4, 8, 9, 11, 14, 17, 21, 23, 24 38:4, 5, 8, 15, 16, 21 39:5, 13 40:16, 17, 20 41:1, 20, 22, 23, 25 42:1, 7, 14, 17, 19, 23 43:2, 6, 10, 14 44:4, 8, 17 45:19, 23 46:25 47:2, 5, 10, 21, 23, 24 51:23 52:17, 20, 21 53:10 54:9, 21, 25 55:3, 7, 18
manner 66:21 87:10	Marla 116:1, 5	meaning 9:17 124:1	means 10:17, 18 28:7 33:17 134:25	
manners 15:16	Mashburn 37:23 38:4, 8, 15 40:11, 14, 16, 17	measles 109:8	measurable 119:15	
manual 86:9 125:23	Mashburn's 38:5	measure 22:9 24:9	media 13:25 14:1 28:2 57:20 120:16, 20, 22 148:10	
Marc 19:18	mass 83:4	meet 32:9 46:4, 15 85:24 94:24 133:25 134:2 143:12	meetings 30:16 53:22, 24 57:11, 12 76:4, 9 101:19 105:10 124:1 133:23 134:3 138:15 146:13	
March 86:18 99:1, 4 100:23 101:18 138:14, 17 149:24	match 70:18, 21 126:20	meet all 54:5		
Maria 133:1	material 66:16 83:5			
Marietta 99:2, 3 149:25	materials 49:3 112:7 118:17 120:5 122:21 123:4 133:19			
Marilyn 83:7 149:6	matter 13:12 42:18 56:20 58:15			
Marissa 119:23 144:12	matters 61:13 84:7			
mark 90:5 104:25				
marked 90:9, 18				
markers 90:4				
Marks 82:14, 16, 17 83:1, 3, 7, 8				

MEETING
GEORGIA STATE ELECTION BOARD MEETING

February 19, 2026
Index: members..mine

56:24	10,11,17,	meritless	Mike	105:23
57:10	19,24	89:18	25:15	106:8
58:5	139:3,12,	95:8	120:21	108:9,25
59:16	16 140:15			109:3
60:14,17,	147:9,11,	merits	miles	110:7,10,
24 61:7,	12,16,17	71:22	114:19	14,24
16,20,24	149:11	message	military	111:5,8,
63:3	150:3,23	41:15	109:9	10,12,21
64:1,2		42:11		113:11,
65:8,23	members	123:9	Miller	19,22,24
66:13	3:22	148:16	104:11	114:2,6
67:10,16,	19:10	149:15	132:9	115:16,24
20,25	36:4		million	116:1,5
68:4,7	41:5,14	messages	9:16	117:19,22
71:20	48:2,25	39:17	109:22	119:12,
74:1	49:8 51:6	41:10,19	115:3,14	18,23
75:10	56:19	44:10		121:9,18,
76:1,24	76:13	messaging	millions	21,24
77:1,3,	84:14	136:6	19:23	122:3
11,15	89:21		121:15	123:15,21
78:13	95:20	met	Mills	125:2,10,
82:6 83:9	107:22	18:4 53:4	21:25	13
91:10	112:4,16	55:2,3	22:3,7,19	126:18,23
94:14	116:14,23	59:4	23:5	128:3,11,
95:13,15	118:1,3,	metaphor	25:12,22,	24 129:1,
96:17,20	15 119:25	146:23	24 29:6,8	3,6,10
97:15	120:1,7,	methink	31:12	130:20
99:5,7,9,	16,19,23	20:7	33:11	131:2,14,
24 100:7	121:15		34:24	17,21
102:13	133:16	methods	43:16	132:9,23
103:1	134:9,15	88:21	45:6,10,	133:3
106:12,14	135:7,17	126:20,21	15 51:17	135:15
107:4,17,	137:9	micromanage	55:23,25	139:17
20 108:1,	150:12	78:3	56:15	140:9,12
6,12,18,	membership	micromanage	60:2 73:2	141:11,
22 109:2	135:8	ment	74:10,15	14,22,25
112:5,12,	139:2	78:7	78:3 80:7	143:18,20
24 113:16	memory	middle	81:12,14,	145:8,22,
120:17	47:25	117:3	21 82:2,	25 147:17
121:10	130:22		15 91:18	
122:2		midterm	100:2,4,	mind
129:5	mention	116:25	20 101:8,	6:8
135:22,24	32:20	midterms	11 102:1,	106:16
136:13,	mentioned	86:11	22 103:3,	135:18
18,24	71:10	129:24	7,10,13,	mine
137:3,13,	120:4		20,23,25	28:23
16 138:6,			104:3,4	38:10

minimal 33:2	11:14	months 41:9	117:17	11:14
minions 109:14	mispronounc e 131:21	54:23	moved 21:24	narrowly 119:14
Minneapolis 107:13	missing 19:14	68:12	27:19, 21	nationalize 116:18
Minshew 104:25	37:20	105:25	44:23	nature 60:20
	120:10	Morgan 12:2	82:10	
minute 3:12	mission 7:2 10:14	114:9	99:5	
114:9	mistrust 7:4	morning 48:12	150:23	necessarily 66:4 78:8
minutes 3:9, 16, 22	misundersta nding 96:10	109:6	moves 118:19	109:24
4:9, 11,	misused 123:10	111:23	moving 28:7	135:10
16, 22, 23	misundersta nding 96:10	112:1	101:5	needed 22:11
5:1, 2, 4,	misused 123:10	114:8	MSNBC 149:5	38:14
12, 17, 18	misused 123:10	118:1	mud 51:13	118:25
82:15, 20,	misused 123:10	mother 105:14, 15	multiple 9:18	143:24
23, 25	misused 123:10	motion 4:7, 8, 10,	28:13	needing 58:24
91:18, 19	misused 123:10	14, 21	48:15	108:19
92:18	misused 123:10	5:1, 3, 11,	150:17, 18	negative 24:25
98:17, 19	misused 123:10	15, 23	multitudes 24:25	negotiate 74:11
141:13	misused 123:10	21:6, 11,		negotiation 10:21
144:1	misused 123:10	12, 13, 19	N	neighboring 9:6
146:2	misused 123:10	42:8		neighbors 118:12
miraculous 100:25	Monday 143:22	43:15		nervous 52:11
mis-	money 19:24	44:4, 7, 8,		never-
contortions 120:8	60:3	15, 18		ending 86:5
mischaracte rizing 120:11	74:13	59:15	Nadine 21:8	news 3:7 14:14
misconstruc tion 120:8	77:24	73:1 74:9	named 92:21	15:10
misdemeanor 126:21	81:18	81:10, 19	names 9:23	102:2
misinformed 110:1	113:16	82:4, 7	101:21	148:6
misleading 135:4	124:13	150:22, 24	naming 86:14	newspapers
	monitoring 17:25	motions 22:5	narrative 14:18	
	46:18	motives 120:24	narratives 6:18	
	month 72:12	move 35:9 37:7		
	74:8	56:13		
	75:24, 25	69:3		
	135:4	81:16, 20		
		91:14		
		116:7		

14:4	24 67:4	125:1	24:3	51:2, 15
nice	97:10	numerous	25:25	offer
59:18	101:19, 25	40:4, 7	52:6 53:8	69:2
62:13	128:15		obstruction	offered
79:24	noticed	0	18:5, 16	114:14
Niesse	22:3 76:5		24:3	office
104:25	notices	O'CONNOR	31:13	11:9
night	50:21	145:22	51:17, 18	23:11, 18,
8:8	92:15	oath	obtain	19, 20
114:11	noticing	18:13	16:15	24:14, 21
non-	9:22	109:7, 9	42:5	29:21, 23
49:6	notificatio	112:25	57:23	30:15, 17
non-citizen	n	oaths	105:7	31:8
109:20, 23	53:24	11:12	112:7	34:12
non-	54:2	object	119:1	36:21, 22
citizens	notified	75:2, 6, 8	obtained	39:15, 23
63:25	65:2, 4	81:3	38:8	40:10, 13
64:4	notify	86:25	obtaining	41:18
109:16	101:22	objected	33:2 41:6	42:22
non-	notifying	31:5	obvious	43:20
discriminat	63:22	objection	30:25	47:16
ory	November	74:22	Occasionall	48:14
72:21	3:11 4:24	objective	y	49:12, 16,
non-	5:4, 7, 8,	149:8	62:24	23 50:4,
matching	9, 10, 12,	obligation	occasions	6, 10, 14
126:16	17 15:9	36:20	44:2	52:4 54:1
Norm	18:12	62:14	occur	58:7, 8,
19:18, 22	144:13	64:19	40:19	11, 19, 20
normal	number	65:25	occurring	59:22
46:25	7:5	85:7 91:9	93:2	61:18
127:15	16:11, 16	130:12	OCGA	78:18, 24
Noted	27:1 41:9	observation	63:22	81:3
33:10	48:17	45:24	66:14	114:19, 20
notes	70:18	observe	Oconee	133:13
3:13, 14	75:20	53:11, 15	123:23	135:9
6:12	124:14	121:8	October	officer
93:10	126:1, 2,	observing	3:10, 12,	104:20
notice	11, 12	120:25	23 4:6,	109:9
18:22	148:13	obstruct	11, 16	officers
19:3	numbers	19:13	18:14	34:15
65:17, 23,	70:17		offended	officers'
	109:17			55:16, 23
				offices
				133:12

140:8	34:22	opportunity	organizatio	105:2
official	36:17	37:13	n	112:17
66:8	41:13, 14,	105:20	49:7, 23	119:4, 7,
85:22	17 57:12,	110:21	133:15	17
110:1	14 60:20	133:9	135:20	overturning
133:14	63:8, 14	149:15	137:1	27:11
137:20	70:9	oppose	138:15	overworked
officially	104:14	73:6, 14	original	11:4
144:6	112:19	opposed	140:3	80:17
officials	124:1	23:2	ORR	ownership
10:5 17:2	138:4, 8	opposing	104:20	16:6
19:6, 11,	144:5, 16	7:3	Ossoff	
12 51:25	145:2	opposition	129:19	P
52:6, 24	opens	5:21, 22	other's	p.m.
53:4, 6	9:19	21:23, 24	36:5, 16	68:15, 17,
113:14	operate	44:22, 23	outcome	20 151:7
119:10	37:2	54:10	7:20	packed
120:25	77:22	82:10	122:10	142:7
121:4	operated	125:20	outcomes	pages
137:8, 18	84:18	136:2	8:15	40:5
officials'	87:17	opt	outrageous	128:22
120:24	operation	69:25	22:12, 21	paid
oftentimes	106:1	optional	107:15	78:4
57:14	operational	61:18	outright	paint
90:23	117:7	ordeal	46:1	31:11
one's	118:24	34:11	overemphasi	pandemic
138:6	operations	order	zed	117:3
one-day	52:16	3:2 5:23	117:8	Panos
102:21	117:15	16:9	overlooking	131:17, 18
one-sided	operatives	40:12	12:13	paper
14:18	19:18	55:15	overly-	69:4, 19
ongoing	opined	85:5	79:3	70:2
115:20	90:3	92:21	override	83:20
online	opinion	93:1, 18	17:3	90:5, 9, 18
100:15	34:10	96:22	oversight	93:19, 25
108:11, 13	57:8	97:11	35:3	94:8 96:7
110:18	137:21	144:8	50:15	113:2
125:23	opinions	orderly	52:10, 12,	124:21
126:15	98:13	72:19	13 58:10	125:25
140:4	opportuniti	orders	72:22	128:8
open	es	86:17	104:18	
32:24	141:8			

130:2	partisanship	Pat	64:8	performance
149:16	p	150:6	65:10, 11,	119:8
paralegal	13:23	patience	12, 14, 19	performed
104:13	35:23	150:13	66:4, 11	18:9
Pardon	party	Patton	67:8	period
97:20	12:5	105:6	70:19, 20	23:12
99:6	35:24	pause	82:19	61:21
Parker	36:13	26:11	84:25	83:5
129:4	54:4	pay	88:2	91:20
parroting	113:17	73:21	98:13	permanent
11:14	124:25	112:9	99:10	83:24
part	pass	148:24	100:14	84:1
7:13 25:4	69:2 71:4	150:17	101:19, 21	85:11
30:12	74:1, 4	paycheck	102:11	115:22
39:13	96:23	126:10	104:6	persisted
57:25	129:15	peace	106:16	125:19
61:11	146:19	105:15	107:14	persistence
75:10, 11,	passed	peers	110:18	93:16
14 89:1	58:12	117:14	114:12	persistent
129:16	68:11, 13,	people	115:4	93:15
139:4	16 127:13	7:6, 11	124:18	97:19, 22
150:11	146:25	8:2, 3	125:4	person
participant	passes	9:3, 25	129:18	9:17
s	85:10	10:1, 10	130:8	26:24
150:8	passing	11:2	132:19	28:22, 23
participate	82:21	12:2, 3, 7	135:9	29:10
85:18	100:18	13:6, 17	137:18	30:9
86:2	passionate	14:24	140:8, 21	33:20
118:13	132:1	15:24	143:24	53:18
participate	password	26:23	146:3	63:2
d	34:22	28:15, 21,	148:1, 10	66:14
117:2	130:16,	22 29:12	149:24	73:10, 21
150:14	17, 25	33:22	150:13,	90:13
participati	past	36:9, 10,	14, 15	106:8
ng	19:12	13, 20, 25	percent	110:25
150:10	20:22	38:3 40:8	109:25	111:3
participati	56:3, 10	49:19	116:21, 22	127:15
on	85:13	52:10, 12,	125:3	personal
123:11	88:4	14 53:12	130:7, 8	10:7
partisan	112:1	56:19	perfect	29:19
120:24	114:19	57:23	7:6	122:19
	121:23	62:1, 10,	145:14	146:5
		11, 16	perform	148:20
			130:23	

MEETING
GEORGIA STATE ELECTION BOARD MEETING

February 19, 2026
Index: personally..possibly

personally	10, 13, 25	115:3	point	10:10
32:21	43:2	124:3	13:20	36:7
108:2	44:10, 13,	127:11	22:15	
115:15	14 63:15	131:5	31:15	poll
121:6	148:13		40:19	112:24
139:5		placement	43:24	116:10, 20
149:13	phonetic	116:18	51:18	117:4, 5
	97:14		52:8, 9	123:2
personally-	99:25	places	58:24	129:24
identifiabl	131:17	87:13	59:13	135:10
e		92:5	75:23	
123:1	physically	116:19	77:1	polling
	111:3	Plaintiff	78:9, 16	87:13
personnel		33:1	80:5	116:19
139:24, 25	physician's	Plaintiff's	91:11	popular
	109:7	33:6	104:4	129:17, 18
perspective	pick	Plaintiffs	110:16, 23	populous
35:20	10:11	89:5	139:14	118:22
perspective	14:3 61:9	90:12		
s		plan	points	portal
7:3	picking	19:22	11:14	51:8
	80:18	planning	91:23	portion
persuasion	picture	105:10		92:24
146:5	31:12	133:6	Police	98:7
pertaining	piece		121:1	
3:13, 22	113:2	platform	policy	portions
21:2		133:11	22:17, 18	65:18
34:17	pilot		55:17	position
45:13	72:4, 9	platforms	84:15	48:19
	73:3	57:20	87:19	58:21
Peru	74:12		91:6	77:21
109:12	81:3, 8,	play	92:19	89:15, 18
petition	12, 22	10:16	141:1	95:7
83:17	82:2	118:20		113:17
88:9			political	
	pings	played	36:8, 20	positive
petitions	79:18	116:23	66:23	117:7
136:2	Pison		114:3	142:19
petulant	144:12	playing	118:11	
19:19		83:11	123:7	possesses
	Pitts	pleasant	124:24	89:12
philosopher	15:25	79:11		possession
20:21	19:22		politician	42:13
	143:25	plenty	10:7	
phone		70:6 97:9	politicians	possibility
39:2	place		11:8	70:2
40:15	6:11, 16	podcasts		possibly
41:19	25:3	116:15	politics	71:24
42:2, 3,	105:12, 16		9:21	

148:19	prayed	29:7	10:2	28:13
post	132:2, 13	70:15	27:12	72:6 73:3
47:1, 7	prayer	71:14, 18	30:15	74:11
81:1, 4	132:1, 20	73:4, 5	34:20	77:4, 11
135:18	praying	presenters	68:9	81:22
136:6	146:18	140:7	previously	123:9
148:5	pre-	presenting	68:3	privately
posted	arranged	132:17	120:4	90:5
4:23	17:24	preserve	price	privilege
136:8, 10	pre-printed	17:3	10:14	104:5
137:24	69:19	20:13	primary	132:14
posting	precedent	39:23	63:2 85:5	privy
81:7	142:25	144:8	prime	49:22
potato	precisely	preserved	49:13	problem
83:11, 14	118:24	16:19	principled	9:20
84:4, 9	predicted	preserving	106:7	39:14
potential	18:8	17:25	print	59:12
32:23	prep	president	14:6 90:8	75:1 76:2
72:5	74:11	116:17	printed	91:14, 24
113:18	prepared	128:8	28:1	92:3
potentially	111:20	129:15, 21	69:14	130:13
120:10	preprinted	press	115:11	134:20
poured	69:11	13:25	printer	145:1
146:24	present	14:8, 15,	69:7	problems
power	74:4 75:4	21 27:7,	printers	70:6
7:21	76:13	24 107:6	69:5	130:11
11:15	presentatio	pressure	printing	procedural
96:14	n	118:9	14:2	124:16
132:4	53:3	presume	prints	procedure
powerful	71:12	76:7	14:4	124:17
33:16	72:11, 14	pretty	prior	procedures
powers	82:11, 19	50:5	29:8 31:6	122:23
58:3	93:9	98:20	93:9	123:18
124:7	101:14	127:10	priority	proceed
practically	103:8	138:1	92:2	56:12
89:14	104:1	prevent	privacy	74:10, 21
practices	presentatio	20:19	122:22	131:7
119:2	ns	previewing	123:14	proceedings
pray	65:11, 14	80:21	private	3:1 119:2
105:14	presented	previous	24:20	120:5
131:23				151:7

proceeds 17:15	74:12 78:6	protected 130:25	93:16 96:1	publication 44:25
process 7:8, 25 12:23 13:9, 10 26:9 34:6, 14 50:8 56:1 61:11 63:23 79:3 87:2 112:9 122:8 130:12 142:4	81:3, 9, 12, 22 82:3 122:6 prompt 86:16 promptly 100:10 promulgate 87:20 proof 126:5, 11 proper 92:15 122:23 146:4, 14 properly 8:23 145:20 property 40:23 43:23, 25 proposal 73:13 74:4 75:4 76:15 77:8 propose 73:20 proposed 45:20 93:1 96:22 97:12 Propublica 148:4 protect 56:7 112:1	Protecting 10:6 123:13 protection 19:1 protest 20:7 protocol 62:17 64:16 protocols 61:23 147:21 proud 106:7 prove 28:24 126:8 proven 145:18 provide 6:11 34:2 38:14, 20 40:17, 24 50:9, 15 52:12 57:22 61:16 81:11 104:17 105:19 144:3 provided 3:9 16:18 17:11 39:1 41:25 59:4 69:9 71:23 77:5	120:9 providing 17:21, 24 63:5 proving 114:4 provision 64:23 provisional 112:25 123:3 provisions 90:3 public 6:9, 19 9:8 12:4 13:15 28:13, 15 59:25 62:9 65:10, 15, 18, 19 66:4, 10 67:8 72:14 87:16 91:14 92:19 98:6, 8 99:12 104:9, 17 105:4 108:10, 14 112:13 118:12 119:6 122:12, 18 124:4 132:11 138:2 147:19	45:8 47:18 publication s 149:21 publicly 28:12 116:16 publicly- available 51:6 publish 45:4 published 47:12 pulling 63:9 141:7 punished 66:24 purchasing 55:22 132:16 purpose 119:7 133:13 purposes 36:8 48:22 pursue 22:24 56:9 push 88:19 pushback 97:23 put 31:14

45:1, 2	38:13	22:10, 16	Ralph	128:25
50:17, 21	46:2	quote	145:22	131:4
64:18	54:22	56:16	Ramsey	read-
65:18	63:4 66:6	75:11	99:20, 22,	51:4
66:1	68:10	110:4	23 141:25	readable
67:3, 14	79:19	126:3	142:1, 2	90:10, 19
71:20	84:15, 16,	quotes	143:3, 6,	readily
76:4, 5	17 106:12	56:14	9, 15	16:24
77:16, 23	119:15, 16	Quoting	ran	reading
88:21	121:12	91:10	25:21	78:15
91:12	questioned		range	ready
100:23	7:24 59:6		64:25	71:14
102:10	questioning	R	ranges	97:1
115:2	8:3, 4		77:18	101:13,
123:16	questions	race	rarely	14, 17
125:1	3:13, 21,	9:4	22:14	103:7
128:5	24 4:5, 25	Rachel	115:10	Reagan
131:5	6:6 8:10,	122:3, 5	rate	110:3
138:24	11 9:10	radar	74:12	real
141:8	11:22	60:22	75:19	54:16, 24
142:15	20:16	Raffensperg	76:25	110:16
146:6, 10	26:6, 9	er	77:8, 10,	reality
puts	56:21	23:21	14	81:7
11:1	57:11, 14	39:16	ratify	realize
150:17	59:19	40:7	21:7, 14	150:16
putting	79:2, 16	rage	re-litigate	reason
148:11	86:5 93:6	148:18	122:16	23:1, 6
Pyle	94:12, 15	raid	reach	35:10
119:24, 25	96:18	112:11	40:18, 20	52:6
121:10,	122:22	116:13	41:2	54:16
19, 22	133:7	118:16	58:19	63:7
	141:24	120:17, 19	64:21	137:16
		121:1	reached	reasonable
Q	quick	raised	38:10	134:25
	100:9	8:10	139:21	reasons
QR	110:16	54:22	reaching	95:4
68:25	quickly	91:2	57:19	rec
69:3, 22	70:16	raises	read	37:8
85:22	98:20	122:22	6:12	receive
90:20	104:21	raising	91:22, 23	41:16
115:9, 13	105:4	120:12	115:8	
question	quit			
8:11 10:4	129:24			
35:6	quorum			
37:19	4:21 5:23			

MEETING
GEORGIA STATE ELECTION BOARD MEETING

February 19, 2026
Index: received..replacement

received	91:21, 25	redoing	47:13	remainder
9:18	92:11	148:21	49:10	71:11
37:24	104:24	reducing	142:18	remaining
41:21	138:2	26:18	reinforced	46:13
45:7	145:19	reference	84:6	remanded
68:17, 21	recorded	133:20	reiterate	53:14
106:23	25:17	referred	57:8	remember
107:22	recording	71:25	reiterated	9:22
receiving	25:20	109:23	40:7	20:21
68:15	records	reflection	127:4	113:5
recent	13:13	13:22	rejected	141:1
58:12	16:16	refresh	126:17	remind
105:13	17:3 18:1	47:24	rejoice	64:12
106:16	32:25	refused	127:5, 6	94:15
116:20, 23	37:22	33:4 34:3	related	149:23
118:16	39:23	117:4	4:6 6:7	reminder
recently	41:13, 14,	144:2	relates	64:19, 20
68:18	17 42:3,	refusing	89:25	66:2
70:6	10, 11	121:6	relating	removal
104:11	43:22	region	42:25	68:24
recess	44:10	134:1	relationshi	69:3
55:14	57:13, 14	regional	p	removed
100:12	60:20	53:22	30:14, 17,	54:24
recognize	63:8, 14	133:23	25 31:7	123:4
118:6	87:10	regions	relative	removing
recommend	104:15, 17	133:25	66:4	63:23
56:18	105:4	register	relaxed	69:22
68:13, 14	120:10	114:12	52:13	123:8
95:1	123:3, 8	registered	relied	repeat
recommendat	126:3	9:17 12:5	89:18	16:18
ions	138:4	64:5, 6, 9	120:7	20:22, 24
68:8	144:5, 16	126:4	relief	repeated
reconstruct	145:3	registratio	92:20	17:11
106:2	recount	n	relieved	125:17
reconvene	86:9	15:22	12:18	repeatedly
97:5	recounted	51:7, 12	rely	55:1
record	122:14	125:24, 25	60:2	86:16
28:10	recounts	regret	remain	144:2
33:11	9:13	128:12	143:11	repeats
54:8	recuse	regulations		40:3
86:22, 25	3:19			replacement
89:1	red			
	50:16			

104:21	113:17	requirement	resource	responsibly
replied	127:17	6:25 92:2	118:22	84:11
144:6,12,	Republicans	144:9	respect	responsive
14,20,23	36:11	requirement	12:3	35:7
report	request	s	15:19	59:19
14:9,10,	18:20,21	85:25	27:18	144:13,
11,13	32:25	87:15	48:21	21,24
72:12,14	38:3	88:10	61:9 88:7	rest
73:23	47:21	141:7	142:5	10:1 19:4
81:15,25	51:6	requires	respectful	66:7 71:1
reported	57:13	10:7 56:2	98:11,16	124:23
26:18,20	138:4	68:24	respond	restate
reports	144:5,13,	81:1	62:8,16,	44:7
128:21	16,24	90:15	20,22,24	resubmit
represent	145:3	112:23	63:1,5,17	86:20
11:7 59:1	requested	115:8	responded	result
60:18	4:4 47:25	requiring	138:8	11:3
61:5,12	86:16	112:22	respondents	resulted
87:1	92:20	research	65:6	17:16
representat	99:10	46:23	86:15	85:17
ion	136:11	researched	92:21	results
66:18	144:15	9:9	105:9	47:5
representat	requests	researching	responding	113:4
ive	17:12	23:9	18:1	122:13,14
24:21	41:17	resembling	62:7,15	130:23
represented	57:14	121:14	response	145:6
60:11	60:20	resident	31:21	retain
61:20	63:8,14	9:25	48:13	43:21
representin	126:6	116:10	62:9,12	retained
g	require	residents	137:23	16:18
58:8	97:4	110:1	responsibil	retaining
59:11,21	126:4	resignation	ities	18:1
61:3	129:16	128:16	15:23	retention
reprimand	required	resolution	16:4	16:6 21:9
88:1	16:19,25	12:21	63:22	return
republic	22:16	68:13,16	73:23	3:4 52:9
10:6,23	46:4	115:19	responsibil	returned
124:11	74:20	resolutions	ity	20:13
Republican	84:19	68:11	10:8	21:10
27:9	87:12	resolved	12:25	revert
35:24	88:11	38:23	45:3	
	90:13		80:10	
	126:12			
	144:15			

83:20	rightful	room	142:17	SAVE
review	8:11	10:16	rumor	127:13
71:21	rights	15:11	42:17	129:15
72:10	86:1, 12	17:23	run	saved
104:1	115:5	26:11	113:4	148:13
105:19	143:10	57:6	120:20	SB
reviewed	rigmarole	83:15, 18	143:21	68:23
122:14	80:2	112:13	running	70:1
reviewing	risk	120:17	15:15	scads
70:12	11:1 56:8	142:7	113:5	19:11
reviews	118:24	147:4	rushed	scanner
117:16	roadblocks	Rossi	19:12	70:8, 9
revoke	54:12	17:19		scanners
130:13	Robb	18:4	S	69:15, 16
rhetoric	15:25	Rossi/ moncla		94:4
106:15	19:22	17:16	sad	scene
107:7	role	23:9	54:5	114:18
Ribbon	10:16	round	safeguard	121:8
53:3	45:23	106:9	123:17	scheduled
Rich	116:23	rule	safeguardin	76:4, 10,
129:3	118:21	10:9 16:4	g	12 99:1
Richard	119:5	45:20	17:22	105:19
126:23	120:18	47:17	salesman	scheduling
129:7	121:14	83:17	120:21	76:3
Rick	133:17, 19	95:25	Salleigh	scheme
45:19	roles	rule-making	132:7	66:16
rid	120:11	84:19, 21	147:1	schism
128:7	roll	88:9	Salo	78:24
ridiculous	63:24	90:22, 23	121:25	school
80:16	125:19	ruled	Salom	110:8
127:25	rolls	68:19	121:25	Schroeder
130:10	9:15	rules	Sandra	126:23, 24
ridiculousl	26:17, 23	44:25	127:21	128:4, 12,
y	60:14	45:5, 9,	131:19, 25	15, 21, 25
127:15	72:18, 20,	16, 17, 25	132:23	129:2, 6,
right-	25 123:2	47:8, 9,	Santayana	7, 8, 11, 14
leaning	130:5	10, 13	20:21	130:21
109:18	Ron	49:10	sat	131:3, 4,
right-wing	39:16	87:15, 20	53:15	8, 10, 12,
116:15	Ronald	88:14		16
	110:3	96:12, 15		Schultz
		112:22, 23		
		136:3		

111:1, 2, 6, 7, 9, 11, 17, 19, 23, 24 113:12, 20, 23, 25 114:3	secondary 104:14 seconds 98:19 110:7, 10 113:11 115:16 117:19 119:12 121:9 123:15 125:2 126:18 128:3 130:20 134:7 135:15	14, 17 49:11, 15, 16, 22 50:4, 6, 9, 14 51:19 52:4 58:8, 11, 18 59:21, 23 71:12, 16 78:18, 24 80:22 81:1 88:19 89:20 105:8 113:5 130:12 133:21 134:16 139:24, 25 145:18	seemingly 78:25 sees 112:8 seize 120:2 seized 19:7 seizing 118:16 seizure 6:10, 16, 21 122:20 selections 90:7 senators 127:14, 15 129:19, 21	sensational izing 14:1 sense 16:9 52:7 sentence 145:15 sentiments 147:18 separate 58:10 60:20 90:24 92:6 134:8 separately 38:8 separates 10:23 September 83:10 91:11 serve 36:9, 10, 13, 16 116:10 117:20 118:8 served 6:16 18:5, 12 19:6, 10 33:12, 19, 22 59:10 62:9 112:5 119:10 120:2 143:10 servers 39:25
scope 77:6 screen 84:25 85:1 screens 92:3 scriptures 146:17 scrutinize 80:8 scrutinizin g 80:6 scrutiny 118:8 search 19:6, 11 45:14 SEB 19:9 26:4 28:2 37:8 42:9, 25 43:10 57:21, 22 62:6 112:14 116:11 118:1, 15, 18 120:18 121:10 143:22 SEB-ADOPTED 44:25	secrecy 83:17, 18, 19 85:21 87:8 88:7 91:24 92:2, 14, 15 115:6 secret 7:13 secretary 8:7 17:14 18:17 23:11, 17 24:14, 21 29:20, 22 30:14, 17 31:8 33:15 36:22 38:5, 20 39:15, 16 40:10, 12 41:18 42:9, 21 43:7, 19 45:4, 8 47:15 48:5, 7,	section 65:16, 24 66:1, 10, 14 67:2, 3 90:11 sections 39:25 secure 48:18 118:4 secured 123:5 securely 123:4, 20 Security 126:2, 3, 12 seek 11:9 148:9 seeking 49:2	send 41:2 68:11 95:10 104:2 107:16, 17, 25 108:5, 7 136:7 139:7 141:2, 10 148:15 sending 21:7, 14 135:18 sends 123:9 senior 48:18 114:12 sensational ized 14:24	

service	136:17, 19	14:14, 15	simultaneou	84:20
131:9	Shaun	25:13	sly	90:20
143:8, 17	97:13	125:9	112:6	95:6
services	100:20	sight-only	single	solution
77:5	104:20	51:22	63:18	69:3, 8, 23
serving	she'll	sign	148:14	83:25
35:24	105:14	65:19	sir	84:1
36:9, 24	Sheila	110:19	33:11	85:11, 13
44:11	37:23	sign-up	143:3, 6	115:23
106:5	38:2	110:16	sit	sore
113:17	Shiela	signed	28:20	7:18
session	38:17	56:3	149:7	sorrowful
3:4 55:15	shine	111:3	site	105:13
set	7:10	145:23	69:10, 12	sort
18:11, 13	shirt	significanc	sitting	81:5
89:25	130:16	e	3:17	92:15
139:22	short	22:12	32:13	SOS
sets	83:5	significant	situation	18:21
18:6	91:20	8:9 16:16	59:2 64:6	44:25
133:11	105:25	signify	101:12	49:3
setting	146:10	4:17 5:18	sleep	58:22
15:15	shouting	21:20	8:7	63:23
146:8	10:19	44:20	slick	101:12
settled	show	55:9 82:8	141:19	SOS's
86:8, 9	35:6	151:2	slow	39:23
setup	120:19	signing	101:8	51:7 54:1
128:6	129:16	56:19	small	sound
seven-hour	showed	silent	72:9 92:6	71:24
92:14	8:17 30:4	23:3	Smile	sovereignty
Shakespeare	showing	simple	25:10	10:21
20:6	126:9	72:17	social	space
share	shows	74:24	57:19	48:23
34:24	90:16	simply	126:1, 2,	Spanish-
shared	120:20	16:17	12	american
23:10	side	17:13	society	20:20
29:6	3:18 14:6	69:10	10:14	speak
sharing	34:13	81:4, 7	sole	29:19
29:10	124:24	107:7	25:3 41:8	31:22
31:12	148:2	118:11	solely	62:2 66:9
shattering	sides	126:9	12:15	69:17
				71:17
				98:17

99:11	speech	stance	15:8, 18	104:10,
100:16	67:11	141:1	16:12, 13,	12, 17, 22
102:12	147:23	stand	19, 22	105:8, 12
110:17, 21	speeches	25:18	17:2, 4,	106:3
132:9	107:10	34:7	13, 14, 19	113:6
133:6		108:3, 4	18:5, 16,	118:4, 23
148:12	spend		17, 24	119:1, 7,
149:21	19:23	standalone	19:4, 9, 12	13 125:8
speaker	81:12	58:25	20:8, 10,	129:21
6:25	82:2	standard	15, 17	130:12, 14
14:16	spending	17:23	27:13	132:5
99:17, 18,	13:5	77:9, 14	28:18	133:12,
20, 22	spends	82:18	32:22	21, 25
143:19	77:25	83:20	33:13	134:16, 20
149:10	spent	130:22	37:5	135:10,
speakers	9:2 74:13	standards	38:5, 7, 20	11, 12
134:2	spoke	10:18	39:16, 21	137:7
speaking	9:24 23:7	standing	41:11	139:24
30:2	150:13	22:17	42:9	145:16
110:18		46:20	43:8, 23,	State's
117:14	spoken	standpoint	25 44:11	23:11, 18
118:2	23:1	25:2	45:4, 8	24:14, 21
137:23	84:22	Stark	48:5, 8	29:20, 22
149:20	91:3 93:3	105:1	49:9, 20	30:15, 17
special	spoliation	start	51:19, 21	31:8
141:6	20:12	11:13, 17	52:4	36:22
specific	21:1, 7, 14	83:9	53:19	39:15
15:23	stability	100:10	57:24	40:10, 13
18:11	118:25	119:25	58:9 59:6	41:18
57:15	Stacey	120:1	66:22, 24	42:22
88:5, 6	7:25	141:6	67:5	43:19
133:18	staff	started	71:13, 16,	47:16
136:25	41:14	101:18, 20	18 72:2,	48:14, 17
specificall	56:22, 25	141:14	3, 14, 23	49:12, 15,
y	57:4, 9	starting	73:5	16, 23
16:5	58:1	6:9	74:25	50:4, 6, 9,
22:15	60:4, 18	starts	77:25	14 52:4
72:16	76:19	63:13	78:21	58:8, 11,
136:11	104:10	state	79:22	19 59:21,
specifics	staffing	3:3 4:17	80:11, 22	23 78:18,
57:16	117:10	5:12, 18	81:24	24 81:2
spectrum	stalling	8:7 12:23	82:1	139:25
123:7	144:19		88:19	145:18
			89:9, 12,	stated
			20, 22	20:22
			92:4	25:6
			94:22	

26:14	steal	122:17	88:25	98:9
56:15	106:19	stressful	91:16	suggestion
84:23	step	104:14	submitted	76:16
98:9	7:14	strict	81:24	summer
statement	74:8, 9	69:5, 13	submitting	102:3
66:17, 20	139:5	strong	62:10	sunlight
106:21	steps	116:21	subpoena	14:25
114:25	118:19	119:4	5:25	37:2
126:10	Steve	structure	11:24	112:2
statements	112:12	35:25	12:19	superintend
120:23	116:14	struggled	40:12, 14,	ent
121:11, 12	120:17	83:21	21 42:2, 8	130:1
States	147:20, 23	struggles	44:9	superintend
15:14	148:2, 18	34:5	106:15	ents
20:3	149:13, 14	struggling	subpoena's	119:3
106:6	steward	69:20	40:20	support
131:9	74:18	student	subpoenaed	58:5
statewide	77:24	110:9	6:23	59:15
9:15	stewardship	studied	20:9, 13	69:1 71:3
status	78:8	109:10	subpoenas	117:8, 18
38:22	stole	stuff	12:10	118:16
statute	109:15	54:3	15:8	119:8
96:1	127:18	106:20	17:12	supported
119:8	stood	107:17	18:1, 6,	8:5
statute's	149:4	136:6, 7, 8	11, 13	supportive
88:13, 14	stop	141:6	20:11	85:10, 12
statutes	11:16	148:25	successful	supposed
95:22, 23	14:19	subdivision	119:9	58:10
statutorily	91:12	66:23	150:11	supposedly
-	106:22	subject	sudden	127:11
87:12	107:7, 15	37:7	54:12	Supreme
statutorily	113:8	115:6	suffers	46:3, 5, 14
-required	149:15	138:4	123:12	68:18
92:25	story	submissions	Suffice	surprise
statutory	14:7, 9	62:5	20:8	61:25
90:3	25:13	submit	suggest	64:2
119:5	29:5, 6, 13	47:17	62:23	surrounding
stay	straightfor	56:5	suggested	6:10
23:3	ward	62:11	32:23	survive
stayed	strengthens	79:2	86:18	110:5
7:11	119:17		95:15	

suspect	134:8, 14	38:12	target	testifies
45:2	136:4, 15	60:18	7:21	39:22
swapped	137:1, 6,	75:3	tasked	testify
127:22	10 140:5	76:18	15:13	66:8, 9
swarm	systemic	78:25	51:14	testimony
6:18	145:1	83:25	taught	23:19
swearing	systems	95:4	14:3	24:2
65:6, 14,	82:13	101:7, 8,	taxes	25:17
21	136:22	10 112:3,	9:1	testing
switched		20 135:19	taxpayer	85:24
110:13	T	137:5	19:24	88:7, 10,
swore	table	138:21	teach	11
109:9	44:5	147:19	140:6	text
112:25	tabulated	148:19	team	38:24
swung	9:12	149:2	117:6	39:17
109:17	90:20	talked	133:22	41:10, 15,
system	130:23	38:9 87:9	technically	19 42:10
7:4 11:1,	tabulator	91:23	137:9	44:10
16 16:24	70:8, 10	95:21	technology	115:11
17:1	tactic	147:21	90:5	148:16
26:15	20:6	148:4, 5	telling	thankful
48:18	tailored	149:4, 5	24:1	146:8
50:25	119:14	talking	50:10	theories
83:22	takeover	11:14	tells	7:18
84:13, 17,	116:16	30:7 35:2	42:15	118:10
19, 24	142:3, 10,	45:16	49:16	theorist
85:2, 5, 14	19	52:14	temporary	120:21
87:10, 13	takes	57:1	38:18	thereof
88:12	75:24	91:13	84:1	66:24
89:14, 16,	taking	106:18	tenants	thing
25 90:2,	14:15	134:1	10:2	7:1 10:22
13, 14, 17	47:3	141:17	tenor	11:17
92:23, 24	50:6, 13	talks	106:21	13:5, 7
93:23, 24	73:2	146:17	tenure	53:5, 22
94:6, 21	80:15	Tamara	24:19	56:8 57:7
95:16, 17,	124:3	127:20	Tepper	60:15
21, 25	talk	143:18	116:1, 5	67:16
96:2	24:14	tampering	test	75:12
115:2, 20	31:17, 18,	87:17	87:12	79:16
117:3, 11	19 34:16	Tamra		92:16
119:21		99:25		93:17
127:17		tapes		95:22
130:9, 21		70:8, 11		125:12
133:15, 16		112:23, 24		

135:6	threatening	89:24	tired	48:10
140:14	106:24	91:20	91:13	50:3, 13,
141:9	107:1, 25	92:8, 12	title	24 52:4
things	108:6	97:2	49:21	61:2
12:17	threats	99:13	today	86:23
22:7 36:8	107:22, 23	100:18	3:5, 25	88:4
48:6	116:12, 17	102:8	6:11 8:3,	92:18
49:5, 10	118:10	110:13	4 14:8	tomorrow
56:2	125:20	113:19, 22	25:14	86:20
60:20	throw	114:2	27:25	tone
62:2	83:12, 13	115:24	28:16	14:8
69:25	128:22	117:17	73:8, 12	106:21
75:2	throwing	119:18	74:23	tons
78:21	83:14	121:18,	83:25	148:24, 25
79:22	Thursday	21, 24	84:10	tool
87:24	127:23	122:15	85:12, 21,	48:4
90:14, 15,	146:14	125:10, 22	23 86:6	topic
25 93:14	thy	126:6, 7	88:8 90:1	6:7 11:22
124:19, 24	146:21	128:10, 11	92:18	21:3
136:5	tied	129:1, 2, 7	93:9 97:1	32:18, 20
142:9	51:14	131:2, 22	98:8, 23	33:8 37:7
147:22	time	132:17	101:18, 20	44:24
thinking	3:17 7:24	135:13	107:16	52:19
13:2	11:16	138:11, 12	110:20	97:17
40:11	13:6, 20	141:4	114:24	Totenberg
149:7	20:2	143:22	115:18	89:12
thought	23:11	145:8, 11,	117:11	127:23
45:13	27:18	13 147:8	118:15	touch
46:17	28:11	148:12, 14	123:24	84:25
54:11	30:6	150:16, 21	128:14,	85:1 92:3
59:22	32:14	timely	16, 20	120:15
68:2, 9	43:11	76:10	132:21	touched
133:7	47:1	86:17	146:14	125:21
137:21	53:17	105:4	today's	touchscreen
142:16	55:1, 6	times	85:19	90:2
143:1	59:3	8:25 22:4	99:11	92:23
146:16, 21	63:9, 12	38:9	told	tough
thoughts	64:13	40:4, 7	4:4 9:25	10:18
6:10	72:1, 8	87:9	20:4	town
11:20, 24	76:7	105:2	24:16	4:1 79:14
146:24	79:18	123:25	28:15	99:5, 7, 8
147:1, 3	83:5	127:7	29:5 32:6	
threaten	86:7, 15,	131:1	38:2	
108:1	18 88:25	135:19	39:3, 11,	
		144:6	23 40:24	
		148:6		

toy 121:16	trip 7:21	truthful 65:12	uncomfortable 123:25 124:3	unfair 29:4, 14 51:2 148:18
track 145:19	triumph 110:6	turn 56:16 91:2 108:2 111:4 146:1	underfunded 11:4	unforeseen 96:3, 8
tracked 58:14	troubled 125:22	turned 23:13 39:3 42:21 43:1	undermine 123:18	unhappy 32:20
train 115:12	troubling 123:6	two-year 144:9	undermining 116:24	UNIDENTIFIED 14:16 99:17, 20, 22 143:19 149:10
training 49:3 133:10, 19	trucks 121:19	Tylenol 109:8	understand 7:15 16:8 50:8 52:9 53:5, 22 63:11 67:10 80:5 91:16 105:21 113:3 137:2 148:10	unified 62:3
trampled 86:1	true 107:8	type 142:23	understandi ng 7:16 38:18 39:2 42:20 60:25 61:6 76:21 114:14 138:6	uniform 72:21
transcript 3:1 26:19	Trump 8:7, 14 27:10 120:18 128:8 129:21	typically 22:20 62:25	understandi ng 7:16 38:18 39:2 42:20 60:25 61:6 76:21 114:14 138:6	uniformity 119:2
transparenc y 13:22 14:25 16:25 111:25 112:10 122:23 144:18	Trump's 8:9 129:15 131:12	U	understandi ng 7:16 38:18 39:2 42:20 60:25 61:6 76:21 114:14 138:6	union 135:24
transparent 7:14	trumpeting 116:14	Uh-huh 56:24 60:16 104:3 138:18	understandi ng 7:16 38:18 39:2 42:20 60:25 61:6 76:21 114:14 138:6	United 15:14 20:3 106:6 131:9
trapped 58:7	trust 11:7, 8 14:21 74:17 77:23 122:8, 12 123:18 125:6	uncertainty 118:22	understandi ng 7:16 38:18 39:2 42:20 60:25 61:6 76:21 114:14 138:6	universal 10:9
treat 124:13	truth 10:6 14:2, 12, 13, 25 25:25 34:7 36:14	unchanged 48:19	understandi ng 7:16 38:18 39:2 42:20 60:25 61:6 76:21 114:14 138:6	unlawful 110:1
treated 124:14			understandi ng 7:16 38:18 39:2 42:20 60:25 61:6 76:21 114:14 138:6	unprecedented 16:11 118:23
treating 12:2			undertake 80:7 142:16	unquestiona ble 106:5
tremendous 27:23 36:19			unending 14:5	unquote 126:7
trial 127:21			unexpected 96:12	
trick				

unreadable 90:20	upset 8:2, 4	verifiable 90:8 149:18	102:4, 9 103:4, 12, 18, 22 104:4, 8 106:11 112:4, 11, 22 113:9 116:3 136:1 137:2, 4 138:3 139:7, 23 140:16, 19, 22 141:23 143:16 151:1	92:13, 24 violations 15:20 17:6 18:24 72:5 78:21 87:23 92:9, 10 93:2 113:13 115:6, 14, 19
unrecogniza ble 117:12	upwards 9:23	verificatio n 90:8		
unrepresent ed 60:10	urge 97:2 115:18 118:17	verify 50:1, 3 87:11 115:12		
unrestricte d 48:16 51:2, 3	usual 126:9	verifying 11:17		
unseal 144:8	utilize 69:4	veteran 143:9, 13, 14		violence 118:11
unsubstanti ated 17:10 120:13	utilized 44:11 69:18	vice 3:24 15:5, 7 21:4, 6, 12, 16 32:19 33:15, 20 34:9, 24 39:8 41:7 42:4 45:2, 25 46:8, 12, 21, 24 47:7, 9, 12 52:16 54:7 55:8, 20 56:4, 11 57:10 61:15 67:15, 19 68:5, 10 71:9 73:17 74:7 76:2 77:21 80:25 81:15, 20 101:24	Victoria 123:21, 22 video 26:19 106:16 Vietnam 143:9, 13 view 80:5 vigilance 46:14 84:20 91:1 violate 41:14 violated 41:13 145:2 violating 94:21 109:7 violation 71:15 85:20 87:8, 14 91:22	vision 51:22 vocal 125:20 voice 9:7 void 106:1 voluminous 57:16 104:23 volunteers 114:13, 14 voracious 104:24 vote 3:20 4:20 7:13, 25 8:18, 19, 20, 24 9:3 11:18 13:8 20:6 21:24 22:1, 8, 13, 14, 20 23:2 24:9 44:23
untrue 120:23	v			
unusual 32:22	vacancy 86:18			
upcoming 135:4	vaccine 109:8			
update 5:25 37:7, 20 44:25 47:21 55:24, 25 105:10	vague 57:17 104:24			
updated 93:1 96:21	valuable 105:7			
upheld 122:15	vantage 139:14			
uphold 109:10	vastly 120:11			
upload 8:13	vehicle 50:18, 22			
	vendetta 112:18			
	vendors 74:16			

54:20	voter-	24 85:24	6:11	water
64:5,10	verifiable	89:13,25	19:20	96:13
70:19,21	90:17	90:3 92:5	24:18,20	ways
78:11	voters	94:9,21	25:1	33:14
84:25	19:1	115:2	64:12	104:16
85:1	26:14	122:7	65:1,9	weak
87:10	85:17	123:20	84:3	11:13
90:1,12,	90:1,12	127:17	98:22	weakens
13 109:20	113:23	128:1	99:13	122:17
110:2,12	115:12	130:11	109:2	wears
113:6	117:20	149:16	141:5	106:5
115:8,13	118:8	vulnerabili	145:16	web
123:12,20	119:9,20	ties	War	51:7
125:7,24	122:9,13,	8:1	112:13	website
126:4	19,25	vulnerabili	120:17	41:2
127:12,22	123:11,17	ty	warehouse	47:1,7
129:18	voters'	10:25	19:13	52:1 76:5
132:3	86:1,12	vulnerable	112:8	134:12
voted	votes	127:25	122:22	139:2
22:3,10	5:22		123:5	websites
109:16	8:16,17,	W	Warnock	135:5
127:15	18,25 9:1		129:18	137:6
voter	10:22	wails	warrant	Wednesday
9:6,14,17	11:1	19:16	6:18	99:1,4
26:15,16,	17:22	wait	19:7,11	146:4,13
23 27:5	70:23	37:21	26:3,6,8	147:6
50:20	78:12	74:8	120:2	week
51:7,10,	85:22	111:4	Washington	47:3
12 70:18	90:19	112:9	148:5	108:5
72:18,20,	106:19,23	waiting	waste	148:7
24 85:20	109:22,25	91:5	63:12	weeks
87:11	115:3	waived	watch	6:17
90:19	121:15	140:10	87:16	83:23
111:24	124:12	walked	115:15	weird
122:6,22	voting	144:1	watched	81:6
123:1,10,	3:16	walking	19:10	well-
13	10:13	105:25	92:5	meaning
125:18,25	22:2	wall	121:2	109:15
129:17	63:24	54:13	watching	west
130:5,6	68:14	101:20	59:20	11:5
voter's	69:7,10,	wanted	108:24	
7:9 90:18	11,12		110:18,21	
voter-	82:12		129:22	
eligible	83:21			
130:8	84:12,17,			

wheel	woman	77:3	91:15	133:22
91:12	132:1	101:3	writing	135:6
whichever	women	112:10	66:18	139:20
51:5	29:25	150:2, 15	75:7	140:2
White	30:3, 4	worker	written	141:1, 4, 6
104:20	won	117:5	6:12	years
108:12, 13	8:16 86:5	129:24	72:14	9:22
who've	142:13	workers	86:21	16:15
95:21	wonderful	11:2	116:4, 6	20:16
whopping	132:16	48:23	wrong	27:5
109:24	word	50:1, 11	8:24 12:8	33:12
widespread	11:7 27:8	117:4	24:10	36:1 67:1
122:16	45:11	118:7	61:1 95:5	80:15, 16
wild	49:20	135:10	124:19, 24	107:23, 24
11:5	53:20	working	wrote	121:22
willfully	104:5	17:23	102:3	132:2
66:15	words	43:3	150:5	143:23
Williams	11:8 15:7	50:12		144:17
21:8	20:20	71:17	X	145:5
win	112:2	77:7 85:6		146:7
11:9	132:9	102:23	XYZ	yesterday
Winder	work	105:7	36:12	3:6 12:1
150:7	58:3	118:12	49:17	13:3, 6
Winston	69:16	137:25		14:19
20:23	71:20	144:17	Y	22:4
wiped	74:2, 25	works		26:12, 18
39:4	77:6	7:8 39:16	y'all	27:15, 20
44:13	78:22	61:6	41:24	28:3
wise	79:21	122:6	113:3	49:14, 25
56:8	104:11, 12	world	131:14	51:9 64:3
withdraw	106:7	34:6	133:5	71:11
124:8, 10	108:14	146:3	134:3, 25	98:22
witnessed	109:11	worse	140:13	101:5
114:10	117:4	60:10	141:2	102:14
witnesses	119:21	would've	146:12	108:13
112:6	129:23	86:8	150:16	109:1
120:2	131:5	Wow	year	110:19
woke	150:15	26:24	18:15	124:15
8:9	workable	wrap	19:21	125:21
	70:3	91:20	26:15	145:23
	worked	write	27:12	146:3
	9:21	27:7	116:25	149:4
	43:10		117:1	yesterday's
				99:12

yield

129:7

145:11, 13

York

105:2

148:6

Young

59:18, 21

Z

Zoom

76:7

98:22, 24

100:15

109:1, 5

110:21,

22, 25

111:14, 15

