



STATE ELECTION BOARD
State of Georgia

OFFICIAL MINUTES

Proceedings and Action Record

REGULAR MEETING

August 19, 2026

Fayette County Administration Building
140 Stonewall Avenue West, Suite 100, Fayetteville, Georgia





Meeting at a Glance

The following table summarizes key statistics from this meeting, drawn from the certified transcript of the proceedings.

Item	Summary
Meeting Date	Wednesday, August 19, 2026
Meeting Type	Regular Meeting
Duration	9:30 a.m. – 5:13 p.m.
Members Present	Chairman John Fervier; Vice Chair Janelle King; Members Salleigh Grubbs, Sara Tindall Ghazal, and Carolyn Roddy
Also Present	Executive Director James Mills; Deputy Executive Director Hope Coan
Motions Considered	34
Motions Adopted	31
Motions Failed	1
Motions Withdrawn	0
Motions Not Resolved by an Announced Vote	2 — morning break motion; superseded motion in SEB2023-022
Cases Heard	42 agenda items across 37 case numbers
Cases Dismissed	22
Cases Continued	4 by vote; SEB2024-218 continued by announcement
Cases Consolidated	2 consolidated into 1 (Chatham County tabulation tapes)
Letters of Reprimand / Instruction	9 Letters of Instruction; 1 Letter of Reprimand
AG Referrals	2
Rulemaking Procedures Initiated	None; 1 rule petition considered (183-1-11-.01), denied 3-1
Subpoenas Authorized	1 — Fulton County, for electronic files produced by the FBI
Executive Session	Yes — personnel matters; no votes taken
Board Leadership Changes	None
Next Meeting	Monday, September 28, 2026 (combined September/October)

EXECUTIVE SUMMARY

Ballot Secrecy Rule Denied 3-1; Chatham County Tabulator Cases Consolidated

The Board denied Member Grubbs's Ballot Secrecy rule petition 3-1 after a morning of public comment in which no speaker supported adopting it as written.

RULEMAKING

Member Grubbs petitioned the Board to adopt Rule 183-1-11-.01, Ballot Secrecy. The rule had four paragraphs. The first required superintendents to ensure all electors can vote in private. The second addressed privacy for accessibility ballot marking devices. The third required ballots to be shuffled before any rescan on central scanners. The fourth directed the Secretary of State to update voting system software by September 15, 2026. Member Grubbs asked the Board to vote on the first three and meet again to rework the fourth. Vice Chair King said her concerns extended to all four and declined. Chairman Fervier said the petition had grown well past the three-line original rule, and that the Board cannot direct a constitutional officer. Member Ghazal said she has supported the software update since 2023 and is frustrated it has not happened, but that ordering it is outside the Board's authority. Member Grubbs moved to continue the petition. The motion failed for lack of a second. Vice Chair King then moved to deny the rule as written. The Board voted by seniority and the motion carried 3-1, with Member Grubbs opposed.

PUBLIC COMMENT

Seventeen people spoke during the morning session, which was limited to the proposed rule. None supported adopting it as written. The most common objections were that the Board lacks authority to direct the Secretary of State, and that a September 15 software deadline could not be met with 76 days remaining to election day. Mr. Gomez, Mr. Purnell and Mr. McFarland said counties could be forced onto emergency paper ballot procedures. Mr. Purnell asked that any rule protect assistance rights under the Voting Rights Act, the Americans with Disabilities Act, and the Help America Vote Act. Mr. Muldowney and Mr. Favorito objected on the opposite ground, arguing that Paragraph 3 would entrench mass rescanning of ballots and that the software update would destroy forensic evidence. Ms. Adams objected to the word "absolute" in Paragraph 1. Ms. Marks stated no position on the rule and asked the Board to defer, to hold a special meeting, and to spend time with the computer scientists who have studied the problem. Chairman Fervier said it may have been the first time in his two and a half years on the Board that nearly everyone who spoke was of the same mindset. Six more people spoke during general public comment at the end of the day.

ENFORCEMENT DOCKET

The Board dismissed 22 cases, 16 of them in a single block vote. It issued nine Letters of Instruction, six of those in a second block vote. Sumter County received a Letter of Reprimand for allowing a sitting Andersonville city council member to work as a county poll worker. Two cases went to the Attorney General. One is a Coffee County matter where the Ambrose precinct did not open at 7:00 a.m. and had no emergency ballots. The other is a Thomas County non-citizen voting case, where Member Ghazal noted the criminal statute of limitations has already run. Chairman Fervier pulled four cases from the dismissal list. Two were continued with new respondents added, including a Coffee County case where he said he wanted to hear directly from three individuals whose interviews were inconsistent.

CHATHAM COUNTY TABULATION TAPES

Dr. Johnson appeared remotely and walked the Board through her findings on the 23 advance voting tabulators used at seven Chatham County sites in November 2024. Two were closed before election day, four were closed on election night or early the next morning, and 17 were closed on November 13, eight days after the election, with tapes printed on scanners other than the ones that recorded the votes. She asked that the matter be referred to the Attorney General. The Board reconsidered its earlier vote to continue SEB2026-029, consolidated the remaining portion of that case into GA-SEB2026-0002, and continued the consolidated case so Chatham County has notice it will be reviewed as a violation case. Vice Chair King noted that when Fulton County had missing tabulator tapes, the Board referred it to the Attorney General with a recommendation of a fine per tape.

AGENCY OPERATIONS

Executive Director Mills gave a report he acknowledged ran longer than usual. The agency was created by legislation on July 1, 2023. He said that on his first day the office was himself, an intern, one full-time investigator and one part-time investigator, and that a year later it has five full-time and three part-time employees. He said the 315-case backlog reported in the press sat with the Secretary of State rather than with the Board, and that the most recent batch received contained only 17 cases. Investigators Larry Duckworth and Jason Frazier presented the Elly review the Board asked for, built on written user references and seven notarized affidavits. Open Records Officer Sean White reported 148 requests so far this year against 74 for all of last year. Deputy Executive Director Hope Coan and Executive Administrative Assistant Sherry Phillips launched the agency's own website at seb.ga.gov.

GOVERNANCE AND NEXT STEPS

Vice Chair King reported that a draft of the Board's Bylaws has gone to members for feedback, and that the plan is to present completed Bylaws for a vote at the next meeting once the Board's attorney has reviewed them. Executive Director Mills cautioned that the attorney's schedule is not the Board's to control and that

the date should not be treated as settled. On counties that do not respond to investigators, Chairman Fervier said that after three documented requests the investigators should come to him or the Vice Chair and he would sign a subpoena. No motion was taken. Member Ghazal noted that any such subpoenas would be administrative rather than judicial. The Board voted 3-1 to subpoena Fulton County for the electronic files produced by the FBI in its investigation of Fulton County. The September 16 and October meetings were combined into a single meeting on September 28. Chairman Fervier said the November and December dates would be taken up at the October meeting.



Official Meeting Minutes Prepared by On the Record, LLC

MINUTES

STATE ELECTION BOARD MEETING

Wednesday, August 19, 2026

Fayette County Administration Building
140 Stonewall Avenue West, Suite 100, Fayetteville, Georgia

9:30 a.m.

<https://www.youtube.com/live/6pmcycgkBcg>

CALL TO ORDER INTRODUCTORY REMARKS

John Fervier, as Chairman, called the meeting to order at 9:30 a.m. A quorum was present for all actions taken by the Board. Board Members present were Chairman John Fervier, Vice Chair Janelle King, Member Salleigh Grubbs, Member Sara Tindall Ghazal, and Member Carolyn Roddy. Executive Director James Mills and Deputy Executive Director Hope Coan were also present.

The invocation was given by Member Grubbs, who read from Psalm 25 and offered thanks for the Nineteenth Amendment.

The Pledge of Allegiance was led by Member Ghazal.

Record Note: *The transcript uses more than one form of several names. The appearances page lists Member Salleigh Grubbs, Member Sara Tindall Ghazal, and Member Carolyn Roddy. Elsewhere in the transcript Chairman Fervier introduces "Member Sally Grubbs"; a June 2023 email read into the record by Member Grubbs is attributed to "Sarah Ghazal"; and a public commenter refers to "Mrs. Caroline Roddy." Among staff, the Deputy Executive Director is rendered both "Hope Coan" and "Ms. Coen," and the Executive Administrative Assistant both "Sherry Phillips" and "Sherri." These minutes use the forms shown on the transcript's appearances page for Board members, and the more frequent form for staff.*

Record Note: *These minutes follow the Board's standing minutes structure, in which the unnumbered sections precede the Roman-numeral sections. That structure does*

not correspond to the numbering of the meeting agenda, which runs I. Call to Order, II. Minutes, III. Directors Report, IV. Old Business, V. Public Comment on Rule, VI. Executive Session, VII. Rule Making, VIII. Investigation Reports, IX. New Business, X. Public Comment, XI. Adjournment. Every item on the agenda is recorded below, and business is grouped by subject rather than in the order taken up.

Chairman Fervier thanked Fayette County for making the facility available and outlined the order of business for the day. He explained that public comment in the morning would be limited to the rule under consideration, with general public comment taken at the end of the meeting, and that the Board would take up the investigative reports by block vote on the dismissals and the Letters of Instruction, reserving individual discussion for cases pulled by a member or recommended for more severe penalties.

APPROVAL OF BOARD MEETING MINUTES

State Election Board Meeting: May 1, 2026

Motion: Vice Chair King moved to approve the May 1, 2026 minutes

Second: Member Grubbs

Voted: Passed (4-0)

State Election Board Meeting: May 14, 2026

Motion: Vice Chair King moved to approve the May 14, 2026 minutes

Second: Member Grubbs

Voted: Passed; no opposition

State Election Board Meeting: June 3-4, 2026

Motion: Vice Chair King moved to approve the June 3 and 4, 2026 minutes

Second: Member Grubbs

Voted: Passed; no opposition

State Election Board Meeting: July 8, 2026

Motion: Vice Chair King moved to approve the July 8, 2026 minutes

Second: Member Roddy

Voted: Passed; no opposition

ATTORNEY GENERAL REPORT

No report was presented by the Attorney General's Office at this meeting, and no consent orders, final orders, or orders of dismissal were brought before the Board. Correspondence from the Department of Law was discussed within individual violation cases, and is recorded under Section V below.

OTHER BUSINESS

Break

A motion was made by the Board to take a five-minute break at 10:51 a.m.

Motion: Vice Chair King moved to take a break

Second: Member Grubbs

Voted: No outcome announced; the Board took the break

The Board reconvened at 11:14 a.m.

Executive Session

Chairman Fervier announced that the Board would enter Executive Session to discuss personnel matters, and that the recess would be combined with the lunch break.

Motion: Vice Chair King moved to recess and go into Executive Session

Second: Member Roddy

Voted: Passed; no opposition

The Board recessed from 11:50 a.m. until 12:41 p.m. Upon returning to open session, Chairman Fervier stated for the record that nothing discussed in Executive Session required a vote in open session and that the Board took no votes during Executive Session.

Afternoon Break

A motion was passed by the Board to take a five-minute break at 3:12 p.m., at the conclusion of the violation cases.

Motion: Vice Chair King moved to take a break

Second: None called for or offered

Voted: Passed without dissent

The Board reconvened at 3:32 p.m.

Record Note: *The record of both break motions is incomplete. On the morning break, Chairman Fervier called for those in favor, one voice responded, and he proceeded directly to the break without calling for opposition or announcing an outcome. On the afternoon break, no second is recorded; the Chairman called for those in favor and then stated, "Without dissent we will now take a five-minute break."*

IV. PUBLIC COMMENTS

Public comment was taken in two sessions. Speakers were allotted two minutes each, and Open Records Officer Sean White served as timekeeper.

Public Comment on Rule 183-1-11-.01 Ballot Secrecy

Comment in the morning session was limited to the proposed Ballot Secrecy Rule. Comments were made by the following individuals:

Mark Smith, Peachtree City; Beth Hendrickson, Cobb County; Janet Grant, DeKalb County; Mandy Schultz, Fulton County; Ella "Betty" Boylston, Coweta County; Irene Shane, Fayette County; Michael Shane, Fayette County; Marissa Pyle, All Voting is Local Action; Kyle Gomez Lineweber, Common Cause; Nicholas Purnell, Latino Justice; Kevin Muldowney, Fulton County; Torrey McFarland, ACLU of Georgia; Garland Favorito, VoterGA; Marilyn Marks,

Coalition for Good Governance; Michael Katinski, DeKalb County; Elenora Pullen; and Julie Adams, Fulton County.

Under the Notice of Proposed Rulemaking, written comments were also accepted through noon on August 18, 2026.

No speaker supported adopting the rule as written. The objections most frequently raised were that the Board lacks authority to direct the Secretary of State, a constitutional officer, and that a statewide software update could not be completed by the September 15, 2026 deadline with 76 days remaining to election day. Ms. Hendrickson stated that ballot secrecy is already a legal requirement in Georgia. Mr. Gomez, Mr. Purnell, and Mr. McFarland stated that counties could be forced onto emergency paper ballot procedures that were never designed to replace the current voting system. Mr. Purnell asked that any ballot secrecy rule explicitly protect voters' rights to assistance under the Voting Rights Act, the Americans with Disabilities Act, and the Help America Vote Act. Ms. Grant and Ms. Schultz stated that the Election Equipment Specification and Standards Committee created by the legislature is the appropriate venue.

Three speakers objected on the opposite ground. Mr. Muldowney stated that the rule “would end up codifying the rescanning of ballots,” cited Fulton County rescan volumes, and pointed to a prior software update that he said wiped out forensic evidence. Mr. Favorito stated that Paragraph 3 allows ballots to be rescanned “for any reason,” that rescanning breaks the chain of custody, and that updating the voting systems would destroy forensic evidence currently withheld by the Secretary of State. Ms. Adams stated that she had “a real problem with the word ‘absolute’” in Paragraph 1 and objected to rescanning ballots after election day and before certification.

Ms. Marks stated no position on the rule. She set aside her prepared remarks, stated that only two members of the Board had taken a briefing on the underlying problem and that the public had not been given enough information to understand it, and urged the Board to defer a decision, to hold a special meeting, and to spend time with the computer scientists who have examined the vulnerability.

Chairman Fervier remarked that in his two and a half years on the Board it may have been the first time that almost everyone who spoke before it was of the same mindset.

General Public Comment

General public comment was taken at the end of the meeting. Comments were made by the following individuals:

Kevin Muldowney; Mandy Schultz; Sandra Burkhart; Garland Favorito; David Cook, Henry County Board of Elections; and Dr. Rick Richards, identified in the record as the creator of Elly.

Mark Smith and Jamie Harmon also appear on the sign-up sheet and were called. Chairman Fervier noted that Mr. Smith was not present, and no comment from Jamie Harmon is recorded.

Mr. Muldowney addressed the transparency of proprietary voting systems and voter roll maintenance. Ms. Schultz thanked the Board for its vote on the rule and asked the Board to formally acknowledge and respond to an August 14 letter from Max Springer recommending a free open-source sanitation tool as an interim measure. She also stated that the affidavit presented with the Elly review was sworn by the product's own creator and so was not independent verification, that Investigators Frazier and Duckworth had each previously presented the same product to other election bodies without that being disclosed in the presentation, and that the Cherokee County elections director had tested the tool and had it flag her spouse as a double voter and a colleague's wife as deceased. She asked whether the Bylaws would be posted to the website. Ms. Burkhart and Mr. Favorito addressed asserted vulnerabilities in the Dominion voting system, and Mr. Favorito also commended the staff on the work presented that morning. Mr. Cook presented a handout drawn from Elly concerning Henry County registration data. Dr. Richards responded, stating that the county official in the account Ms. Schultz described had no training or instruction, that the tool worked as designed, and that the two records at issue were among 28,208 on that voter roll listed as having voted twice.

Record Note: *Mr. Favorito is identified in the transcript as “MR. FAVORITO” during the morning session, as “MR. GARLAND” during general public comment, and as “Mr. Faburito (ph)” when referred to by Member Grubbs. Mr. Shane is identified as “MR. SHANE” at the start of his comment and as “MS. SHANE” for the closing portion of the same comment. Dr. Richards is called “Dr. Richards” by Chairman Fervier and by Investigator Duckworth, and “Mr. Rick Richards” by Executive Director Mills.*

Record Note: *The certified transcript renders several commenters' names phonetically, and nine differ from the names those speakers printed on the public comment sign-up sheets: Mandy Schultz / Schulz; Irene Shane / Irene Cheyne; Michael Shane / Michael Cheyne; Marissa Pyle / Marisa Pyle; Nicholas Purnell / Nicolas Bernal; Torrey McFarland / Tori McFarland; Michael Katinski / Michael Katinsky; Sandra Burkhart / Sandra Burchardt; and Elenora Pullen / Nora Pullen. The rosters above follow the certified transcript. The sign-up sheets also record affiliations not stated aloud in full: Fayette Democratic Women for Ms. Pullen, Elly for Dr. Richards, and Henry County Board of Elections for Mr. Cook, who stated only that he was “from Henry County.”*

V. VIOLATION CASES

Chairman Fervier stated that the Board would vote in block on the recommended dismissals and on the recommended Letters of Instruction, and would take up individually any case pulled by a member and any case recommended for a more severe penalty. Case descriptions below reflect the complaint as read into the record by Executive Director Mills.

CASES FOR POSSIBLE DISMISSAL

SEB2022-006, SEB2022-052, SEB2022-098, SEB2023-058, SEB2023-089 (Respondent No. 1), SEB2024-122, SEB2024-195, SEB2024-213,

SEB2025-011, SEB2025-040, SEB2025-043, SEB2025-052, SEB2025-069, SEB2025-084, SEB2025-111, and GA-SEB2026-0103

Chairman Fervier read the cases into the record and pulled SEB2022-210, SEB2022-230, SEB2024-188, and SEB2026-029 for separate discussion. No other member asked that a case be pulled from the dismissal column. He clarified that in SEB2022-052, Hancock County, Allegations 1, 2, 4, 5, and 6 were being dismissed, and that in SEB2022-098, Wilkinson County, Allegations 1 and 3 were being dismissed.

SEB2023-089 appears three times on the agenda under three separate respondents. Respondent No. 1 is included in this dismissal; Respondent No. 2, Velma Coley, and Respondent No. 3, Sumter County, were heard separately and are recorded below. The Chairman read the Cobb County case number as "SEB2026-0103"; it appears on the agenda as GA-SEB2026-0103, listed both here and under cases for possible Letter of Instruction.

Motion: Vice Chair King moved to dismiss the cases listed that were not pulled

Second: Member Roddy

Voted: Passed; no opposition

Record Note: SEB2024-089, Camden County, appears on the agenda under cases for possible dismissal. During the reading of the list Chairman Fervier referred to it as "SEB2020-089, Sumter," then as "the SEB2024-089 case," and asked whether it had been continued. Member Ghazal stated that she would move to dismiss the case rather than continue it. The discussion concluded that the matter had been adjudicated in February. The case was not included in the list read into the record for the block dismissal, and no separate motion was made or vote taken on it.

SEB2022-210 — Lee County

The complaint alleged recurring irregularities in voter registration applications submitted by third-party organizations in Lee County, including applications containing non-existent addresses and incorrect contact information in the names of Kyle Harvest and Dominique Jackson, and applications in the name of Kelsey Ziegler displaying similar handwriting, invalid addresses, and telephone numbers not belonging to the named applicants. The complainant alleged a possible connection to the New Georgia Project.

Chairman Fervier asked why the New Georgia Project had not been added as a respondent. The Board discussed that the investigative file contained no transmittal form or other documentation positively connecting the applications to any third-party entity, and that the organization has since disbanded.

Motion: Member Grubbs moved to dismiss the case

Second: Vice Chair King

Voted: Passed; no opposition

SEB2022-230 — Lowndes County

The complaint from the Lowndes County election supervisor alleged that more than 100 voter registration applications contained irregularities or incomplete

information, including suspicious or unverifiable addresses, questionable telephone numbers, and multiple applications listing a physical address associated with Valdosta State University without a corresponding post office box.

Chairman Fervier asked why the Young Democrats of Valdosta State University had not been added as a respondent. He noted that because the case had been listed for dismissal, the respondent would not have expected to appear, and that the case would need to be continued in order to add a respondent.

Motion: Vice Chair King moved to continue the case and add the Young Democrats of Valdosta as a Respondent

Second: Member Roddy

Voted: Passed (3-0)

Abstain: Member Ghazal recused herself from this case

In response to a question from Executive Director Mills, Chairman Fervier directed that the Secretary of State's investigators, who conducted the original investigation, handle the continued investigation.

SEB2024-188 — Coffee County

The complaint reported that on October 15, 2024, a poll watcher observed a woman assisting a voter during absentee in-person voting and tapping on the voter's ballot marking device screen while directing the voter. The election supervisor stated that she subsequently monitored the woman's actions, and that on October 21 or 22, 2024, a woman identified as Shelly Hamilton came to her office and reported that she had been working for Olivia Pearson transporting voters and assisting them during the voting process, and that she had been instructed to encourage voters to support specific candidates.

Chairman Fervier stated that he found inconsistent testimony among the individuals interviewed and that one individual refused to be interviewed, and asked that the Board hear directly from Olivia Pearson, Isaiah Goodwin, and Shelly Hamilton.

Motion: Vice Chair King moved to continue the case and add Olivia Pearson, Isaiah Goodwin, and Shelly Hamilton as Respondents

Second: Not identified in the record

Voted: Passed; no opposition

SEB2026-029 — Chatham County

The Secretary of State's Office opened an investigation after a delay was reported in the reporting of Chatham County advance voting results on the night of the November 5, 2024 general election. The Board issued a Letter of Reprimand at the conclusion of that investigation. The Board then raised concerns that the 23 closing and opening tapes from Chatham County advance voting had numerous issues with wrong dates and with different scanner serial numbers for the opening and closing scanner.

Chairman Fervier stated that a portion of the case had previously been heard and a Letter of Reprimand issued, that the case admits 23 missing tabulator

tapes that could not be located, and that this is a violation of O.C.G.A. § 21-2-379.11(e), (f), and (g). Member Ghazal stated that the underlying problem was the violation of proper procedures in closing out the early voting tabulators, that the absence of tapes was a result of that failure, and that she could not support dismissing a county with statutory violations. Investigator Larry Duckworth explained that his investigation, GA-SEB2026-0002, examined the tabulator changes and found procedural questions but no violations, that he had deliberately not revisited the delayed-reporting issue already adjudicated by the Board, and that he had recommended Letters of Instruction only, to have the county execute its new processes and conduct advance voting correctly under Rule 183-1-14-.02. He described the county's conduct during the investigation as commendable and reported that a cooperative agreement between the Board of Registration and the Board of Elections has since been adopted. Vice Chair King noted that when Fulton County had missing tabulator tapes, the Board referred the matter to the Attorney General's Office with a recommendation of a fine per tabulator tape. Chairman Fervier stated that the county had not been properly noticed and that the Board's options were to dismiss or continue.

Motion: Vice Chair King moved to continue the case to the next meeting

Second: Member Grubbs

Voted: Passed; no opposition

Member Ghazal asked that Chatham County be placed on notice to study the requirements for properly closing the polls under Rule 183-1-12-.12(a) in preparing its response. Vice Chair King noted that the county may participate virtually. This vote was later reconsidered and the case consolidated, as recorded under GA-SEB2026-0002 below.

CASES FOR POSSIBLE LETTER OF INSTRUCTION

SEB2022-052 (Hancock County, Allegation 3); SEB2022-098 (Wilkinson County, Allegation 2); SEB2024-224 (Dodge County); SEB2025-041 (McIntosh County); SEB2025-053 (Crisp County – City of Arabi); and SEB2025-089 (Decatur County)

Chairman Fervier pulled SEB2023-004, SEB2023-022, SEB2023-089, and SEB2024-218 for separate discussion, noted that SEB2024-218 was being continued, and noted that GA-SEB2026-0103 had been handled in the dismissal group. No other member asked that a case be pulled. He then read the remaining cases into the record.

Motion: Vice Chair King moved to issue a Letter of Instruction in the cases listed that were not pulled

Second: Member Grubbs

Voted: Passed; no opposition

Record Note: *SEB2024-218, Fulton County, is agenda item 32 under cases for possible Letter of Instruction. Chairman Fervier stated only that the case “is being continued.” No motion was made, no second was offered, and no vote was taken on it.*

SEB2023-004 – Butts County

Chairman Fervier recommended dismissal because the respondent is deceased.

Motion: Vice Chair King moved to dismiss the case

Second: Member Grubbs

Voted: Passed; no opposition

SEB2023-022 — Fulton County

Three complaints were read into the record. Complaint 1 alleged that following the closing of the Hopewell Baptist Church precinct in the November 2020 general election, the poll manager left several ballots inside a scanner at the polling location, drove to her residence with election materials in her vehicle, and then drove to Roswell City Hall to deliver the materials, a potential violation of O.C.G.A. § 21-2-440 and State Election Board Rule 183-1-12-.12(A). Complaint 2 alleged a discrepancy at the same precinct between the number of ballots generated and the number scanned, a potential violation of O.C.G.A. § 21-2-484. Complaint 3 alleged that Fulton County Elections scanned a batch of ballots twice during the November 2020 general election, a potential violation of State Election Board Rule 183-1-12-.12(E).

Karen Pashuda, appearing for Fulton County, stated that Complaints 1 and 2 were dismissed at the March State Election Board meeting, that the rule cited in the investigation report for Complaint 3 was not in existence until October 12, 2021 and therefore was not in effect at the 2020 election, and that she was aware of two previously adjudicated cases involving double scanning of ballots, SEB2020-059 and SEB2023-025. Member Ghazal stated that the two batches of 99 ballots were identified as they happened, that the proper paperwork was completed, that the second batch was deleted prior to certification, and that no double-scanned batch appeared in the certified vote totals. Executive Director Mills expressed frustration that a case arising from the 2020 election was being investigated six years later.

Motion: Vice Chair King moved to continue the case for further review of the previously adjudicated cases

Second: Member Grubbs

Voted: Passed; no opposition

Record Note: Earlier in the discussion of this case, Vice Chair King moved to issue a Letter of Instruction on Complaint 3 and Member Grubbs seconded that motion. No vote was taken on that motion. The Board proceeded through discussion and adopted the subsequent motion to continue the case.

Record Note: Counsel for Fulton County identifies herself on the record as “Karen Pashuda.” The transcript carries her speaker label as “MS. PASHUDA” throughout except at one point in the Sumter County discussion, where it reads “MS. PACHUTA.”

SEB2023-089 — Sumter County (Respondent No. 2)

It was reported to the Secretary of State that Randy Howard, election supervisor of Sumter County, resigned to sabotage an upcoming election, and that Velma Coley participated in Sumter County elections while serving as a city council member for the City of Andersonville. Ms. Pashuda stated that Ms. Coley had been a poll worker in the county for approximately 40 years and became an Andersonville city council member approximately 15 years ago, that

the county removed her from city elections but believed she could continue working county elections, and that upon learning from the Secretary of State's Office that she could not work as a poll worker at all, she immediately stopped and has not worked as a poll worker since. Chairman Fervier asked why the recommendation was a Letter of Instruction rather than a Letter of Reprimand and why Sumter County had not been added as a respondent. Ms. Pashuda stated that the county is also on the list for the same matter as a respondent under the Letter of Reprimand; the county appears on the agenda for that item as Respondent No. 3.

Motion: Member Ghazal moved to issue a Letter of Instruction to Ms. Coley

Second: Vice Chair King

Voted: Passed; no opposition

GA-SEB2026-0002 — Chatham County

Dr. Johnson appeared remotely and addressed the tabulation tapes from Chatham County advance voting in November 2024. She reported that seven advance voting sites used 23 ballot scanner tabulators; that two tabulators were closed out early, before election day; that four tabulators were closed on November 5 and in the early hours of November 6, 2024; and that 17 tabulators were closed out on November 13, 2024, eight days after the election, with tapes printed on scanners other than the ones on which the votes were cast. She cited O.C.G.A. § 21-2-493 on the computation, canvassing, and tabulation of returns, and code provisions addressing improper operation of tabulating machines, and asked that the matter be referred to the Attorney General for review. She also noted a discrepancy between the registrar's reported figure of 92,177 advance ballots cast and the University of Florida Election Lab figure of 91,735, and raised concerns about the chain of custody of memory cards removed from one scanner and closed out on another.

Vice Chair King stated that because this case is connected to the case just continued, the Board should continue both and decide them together.

Chairman Fervier proposed that the Board reconsider its vote to continue SEB2026-029 and consolidate the remaining portion of that case into this one.

Motion to Reconsider

Motion: Vice Chair King moved to reconsider the vote to continue SEB2026-029

Second: Member Grubbs

Voted: Passed; no opposition

Motion to Consolidate

Motion: Vice Chair King moved to consolidate the remaining portion of SEB2026-029 with GA-SEB2026-0002

Second: Member Grubbs

Voted: Passed; no opposition

Motion to Continue the Consolidated Case

Motion: Member Ghazal moved to continue the consolidated case to allow Chatham County adequate notice that the Board will review it as a violation case

Second: Vice Chair King

Voted: Passed; no opposition

Chairman Fervier stated that the combined case will be placed on an upcoming agenda. In response to a question from Executive Director Mills, Member Ghazal stated that the violation at issue is that the tabulators themselves were improperly closed, and that the tapes therefore reflected a post-election closing date and were missing because the tabulators were never properly closed.

Record Note: *In restating the consolidation motion, Vice Chair King referred to the case as “2026-2029 Chatham County,” and Chairman Fervier referred to it as “the remaining part of 2026-0292” and then as “the remaining part of SEB2026-0292 case.” The case under discussion throughout was SEB2026-029.*

Record Note: *The transcript renders the closing dates of the two tabulators closed before election day as “early on 2021, 24” and “on 2023.” Those two dates cannot be read reliably from the record. The witness's testimony that both closings occurred before the November 5, 2024 election day, and that the two are part of the same 23 advance voting tabulators, is unambiguous.*

Record Note: *The remote participant is identified in the transcript as “Dr. Johnson” throughout her appearance. Within the same transcript she is referred to as “Dr. Jan Johnston” by Executive Director Mills, as “Dr. Johnston” by Investigator Duckworth, by Member Grubbs reading a June 2023 email, and by a public commenter, as “Dr. Jan” by Vice Chair King, and as “Dr. Jay” and “Jenna” by Chairman Fervier.*

CASES FOR POSSIBLE LETTER OF REPRIMAND

SEB2023-089 — Sumter County (Respondent No. 3)

This respondent is Sumter County. Ms. Pashuda requested a Letter of Instruction and stated that the county did not deny that Ms. Coley had worked several county elections, and that the county had incorrectly believed removing her from city elections was sufficient. Vice Chair King stated that she was comfortable with a Letter of Instruction for Ms. Coley but not for the county.

Motion: Vice Chair King moved to issue a Letter of Reprimand to Sumter County

Second: Member Ghazal

Voted: Passed; no opposition

SEB2025-098 — Coffee County

It was reported to the Secretary of State that the Ambrose polling precinct in Coffee County failed to open the polls at 7:00 a.m. due to poll pad issues and the absence of emergency ballots, and that the Douglas precinct did not have any emergency ballots. No representative of Coffee County was present. Member Ghazal stated that emergency ballots and provisional ballots are the same physical piece of paper, that the statutes requiring emergency ballots at

each location are important because a voter turned away at seven o'clock has been disenfranchised, and that these are statutory violations.

Motion: Member Ghazal moved to refer the case to the Attorney General's Office

Second: Member Grubbs

Voted: Passed; no opposition

CASES FOR POSSIBLE REFERRAL TO DISTRICT ATTORNEY AND/OR ATTORNEY GENERAL

SEB2021-105 — Chatham County

The Secretary of State's Office received a list of individuals who allegedly may have double voted in multiple counties. The complainant, using the pseudonym "totes legit," reportedly obtained the list from a voter data file revealing electors with matching personal identifying information, a potential violation of O.C.G.A. § 21-2-572. Chairman Fervier stated that the individuals involved had all been adjudicated and that the remaining question concerned the county's production of documents. He read from the Department of Law's letter, which stated that Chatham County double voters were identified only because Chatham County was able to provide the relevant election documentation, and that it was unlikely the Board could meet its burden at an administrative hearing. Executive Director Mills directed the Board to page 14 of the investigation report, which states that there is sufficient evidence to suggest that certain county election offices failed to retain or produce relevant election documents; Chairman Fervier responded that Chatham County is not among the offices listed, and that Fulton and Mitchell Counties were the offices that did not provide documents. Executive Director Mills asked why the Secretary of State's investigators had made that recommendation. Vice Chair King stated that she would like to continue the case so the Board could fully understand the matter, and later noted that the Attorney General's Office stated it would close its file. Member Ghazal added that the matter was investigated in 2021 and is now four years beyond the statutory retention period.

Motion: Member Ghazal moved to dismiss the case as it pertains to Chatham County

Second: Member Grubbs

Voted: Passed; no opposition

The motion initially drew no second. Member Grubbs seconded it after stating that, based on the Department of Law's letter, she did not believe it would be productive to pursue the case.

SEB2022-184 — Thomas County

The Office of the Secretary of State received a complaint concerning multiple election cycles in Thomas County. Thomas County election supervisor Frank Scoggins reported that a non-citizen had been voting in multiple elections. The respondents are Jeanette Turner and Paul Alvarado, attorney for Jeanette Turner. Neither was present. Chairman Fervier noted that the complainant, the election director, had passed away.

Record Note: The complainant's surname is read into the record as "Scoggins" and referred to moments later by Chairman Fervier as "Mr. Scroggins."

Motion: Member Ghazal moved to refer the case to the Attorney General's Office

Second: Vice Chair King

Voted: Passed; no opposition

Member Ghazal noted for the record that the statute of limitations has passed and that the case would otherwise also have been referred to the appropriate district attorney. Chairman Fervier stated that he had spoken with the Attorney General about the matter that week and that civil action may still be possible.

SEB2023-016 — Grady County

The Secretary of State's Office received a complaint alleging that an elector voted in both Georgia and Florida during the November 2022 general election. Member Ghazal stated that subsequent information from Florida established that there had been an error and that there is evidence the respondent voted in only one election. Chairman Fervier confirmed that the State of Florida admitted the error and that there was no violation by Grady County or by the individual.

Motion: Member Ghazal moved to dismiss the case

Second: Vice Chair King

Voted: Passed; no opposition

SEB2023-042 — Gwinnett County / City of Roswell

The Secretary of State's Office initiated this investigation after receiving a complaint regarding a candidate who qualified for city council and swore in his Notice of Candidacy and Affidavit that he had been a resident of Fulton County for two consecutive years, when he was a registered voter in Gwinnett County until March 2023 and voted in Gwinnett County in the May 2022, November 2022, and December 2022 elections. The complaint cited potential violations of O.C.G.A. §§ 21-2-216, 21-2-217, 21-2-517, and 21-2-573.

The respondent, Robert Judson McClure, appeared in person and asked the Board to issue a Letter of Instruction. He stated that he voted based on his registration, that he was transparent with the City of Roswell and with the investigator, that the registration has been corrected for approximately three years, and that he should have cast a provisional ballot. He offered to record a public service announcement on the importance of updating voter registration when moving.

Motion: Vice Chair King moved to issue a Letter of Instruction

Second: Member Grubbs

Voted: Passed; no opposition

Member Ghazal accepted the respondent's offer to record the public service announcement and to distribute it, and Member Grubbs suggested it be posted on the Board's new website.

SEB2024-209 — Morgan County

The Secretary of State's Office initiated an investigation upon receipt of a complaint regarding a Morgan County elector who entered a polling place wearing a shirt displaying campaign material, a potential violation of O.C.G.A. § 21-2-414. The respondent, Timothy Joseph Chaney, was not present. Chairman Fervier stated that the respondent was asked to turn the shirt inside out, declined, was then told to cover it, and covered the front, and that the reverse of the shirt was noticed only as he was leaving. Member Ghazal stated that the Board has a mixed record in these cases, that it has issued Letters of Reprimand for far more problematic behavior, and that she would support a Letter of Reprimand in this case but not a referral to the Attorney General. She also stated that there is no indication in the record that the respondent deliberately misled the poll workers. Chairman Fervier stated that the distinction the Board has drawn in the past turns on the attitude of the individual, and that cases in which police were called have been referred to the Attorney General.

Motion: Member Grubbs moved to issue a Letter of Instruction

Second: Member Ghazal

Voted: Passed; no opposition

SEB2026-002 — Crawford County

The Office of the Secretary of State received an allegation concerning a potentially fraudulent voter registration application in Crawford County. The Crawford County election supervisor reported receiving a voter registration application that appeared to be fraudulent. Chairman Fervier stated that the investigation could not identify a respondent. Member Ghazal noted that the Board had that morning dismissed the cases in which the responsible party could not be identified.

Motion: Vice Chair King moved to dismiss the case

Second: Member Roddy

Voted: Passed; no opposition

SEB2026-024 — Glynn County

The Secretary of State's Office received a complaint on February 10, 2026 alleging that Carol Ann Weber may have cast ballots in both Georgia and Florida for the same contest during the November 3, 2020 general election. Vice Chair King stated that Florida had entered an incorrect registration date, listing April 29, 2010 when the correct date was February 27, 2023.

Motion: Member Grubbs moved to dismiss the case

Second: Vice Chair King

Voted: Passed; no opposition

Member Ghazal noted for the record that the Board heard two Florida cases at this meeting in which Florida acknowledged that its election workers had made errors, and observed that human error occurs in multiple states.

VI. REPORT FROM THE EXECUTIVE DIRECTOR

Executive Director James Mills gave an extended report, noting at its close that it ran longer than usual and thanking the Board for its patience. He began with the Agency's history, observing that the Board was formed in about 1964 but that the Agency itself came into existence through legislation on July 1, 2023, that he is the second executive director, and that "when you start a new agency, as with any new business or anything else, you can't get everything done overnight."

He described the Agency's growth. On his first day, he said, "it was me and an intern and we had one full-time investigator and one part-time investigator, and that was how the agency started." A year later the Agency has five full-time and three part-time employees. He introduced Deputy Executive Director Hope Coan; Executive Administrative Assistant Sherry Phillips; Data Entry Specialist Jennifer Sanders; Open Records Officer Sean White; Senior Licensed Private Investigator and Lead Investigator Larry Duckworth; Investigator Jason Frazier; and Compliance Analyst David Hancock. He noted two staff birthdays during the past month, including Mr. Duckworth's eightieth.

Executive Director Mills distributed a new organizational chart and walked the Board through the complaint intake process now in place: complaints are first reviewed by Ms. Sanders and Mr. Hancock, assigned a complaint number, and assessed for a potential Election Code or State Election Board rule violation before being referred to the investigators, who recommend whether the Agency retains the case or refers it to the Secretary of State's investigators. He explained the resulting case numbering convention: a case number beginning "GA SEB" indicates a case investigated by State Election Board investigators, and a number beginning "SEB" indicates a case investigated by Secretary of State investigators. He reported that the Agency's Case Management Tracking Software has now been developed and placed in service, and that Ms. Sanders is entering both current and historical data. On the backlog reported in the press as 315 cases, he stated that the cases were backlogged at the Secretary of State rather than at the Board, that the Board has worked them down, and that the most recent batch received from the Secretary of State contained only 17 cases.

Presentation on Elly

At the Board's earlier request, Investigators Larry Duckworth and Jason Frazier presented their review of Elly, a voter list maintenance tool. Mr. Duckworth described the evaluation framework he applied and stated that he required six minimum written user references and received seven, one excluded as late, and required seven notarized sworn affidavits covering the use of publicly available databases only, weekly data updates, ownership of rights, user and back-end security, data source updates, transfer of user rights on any change of ownership, and capacity to support large numbers of users. He noted the affidavits were signed by the vendor's chief executive, Dr. Richards, and that copies are available from Deputy Executive Director Coan.

Mr. Frazier presented findings from his own county-level analysis, including more than 10,000 individuals registered more than once in a single county, approximately 500 registrations carrying placeholder dates of birth of 1/1/1800 or 1/1/1900 with roughly 20 percent of those having voting history, and registrations at commercial addresses. He reported that a Department of Homeland Security

memorandum stated that Georgia ran its entire voter roll through the SAVE database and identified almost 43,000 deceased individuals and 2,500 non-citizens, and that the Election Assistance Commission found that almost half of Georgia's counties have more people registered to vote than the citizen voting age population. He described Elly's modules, noting that the system covers 46 states and the District of Columbia, that more than half a million Georgia registrations have a permanent change of address on file, and that almost 100,000 people who moved out of Georgia are registered in another state while still registered in Georgia, against a statewide total of more than 8 million registrations.

Mr. Duckworth closed by stating, "I started out as a constructive skeptic of Elly. I am no longer a skeptic. I am not here to recommend anything." Executive Director Mills stated that the decision is the Board's, and that he would hope the Board would add the tool to its website as an additional, optional resource that people can choose to use or not.

Open Records Report

Open Records Officer Sean White reported that the Agency received 74 open records requests last year and 148 through the day before this meeting, a one hundred percent increase with 134 days remaining in the year. He thanked the Board for approving JustFOIA, which assists with identifying redactions, centralizes communications with requesters, and allows requesters to check the status of their requests. He explained that the office will do everything it can to produce a simple request within three days, describing a simple request as one taking less than fifteen minutes, that an estimate is provided within three days for larger requests rather than assuming a requester will accept the cost, and that O.C.G.A. allows additional time beyond three days where the volume of records exceeds what any staff could produce in that period. He added, separately, that records which exist but require Board approval or are not ready for public release involve extra steps and additional cost. He asked requesters to use specific search terms, noting that a request keyed on the word "ballot" returned close to a thousand hits.

Launch of the Agency Website

Deputy Executive Director Hope Coan introduced the Agency's new website at seb.ga.gov, developed with Executive Administrative Assistant Sherry Phillips. She demonstrated the Board meetings page, which carries meeting dates, agendas, public notices, summaries, transcripts, minutes, and video; a page for county election officials to update their director, registrar, and board member information; rule petitions, resolutions, and current rules; a public comment section; an open records section with online submission through JustFOIA; news and announcements; voter resources; and the complaint process, under which each complainant receives a reference number and an acknowledgment. She noted that external links are provided as a convenience and do not constitute an endorsement, and encouraged the public to subscribe to the newsletter at the bottom of the home page. Ms. Coan reported that historical materials from the Secretary of State's site have been downloaded to the new site, that the Agency cannot alter or remove content on the Secretary of State's site, and that

coordination with the Secretary of State's information technology team will be needed to direct the public to the new site.

Ms. Coan stated that she and Ms. Phillips worked substantial overtime on the project, and that the goal was “to create something transparent, professional, and user friendly.” Executive Director Mills estimated the two had put in well over eighty hours, and noted the disclaimer at the bottom of the home page providing that the inclusion of any outside tool, software program, resource, or link does not constitute an endorsement by the Georgia State Election Board or the Agency. He also reported that Mr. White is enrolled in a paralegal program at the University of Georgia on his own time.

Vice Chair King thanked the staff, noting that when she joined the Board a little over two years ago the Agency had two or three employees, and that the website had been sought for a long time. Member Grubbs asked how historical minutes and transcripts are organized on the new site, whether the site is searchable, and whether complaints can now be submitted directly, and discussed with Ms. Coan and Vice Chair King how complaints submitted through the Secretary of State's portal are routed.

VII. OLD BUSINESS

A. Budget

Chairman Fervier reported that the only item under old business was the budget, and that he has been in contact with Executive Director Mills and Vice Chair King about it. He stated that what has been received so far is not in a condition that can be presented to the Board, that he and Executive Director Mills are working on revisions, and that something presentable will be brought to the next meeting. He clarified for the record that the condition of the budget material is not Executive Director Mills's fault. No motion was made.

VIII. NEW BUSINESS

A. Petition for Rule Making — Member Salleigh Grubbs: Rule 183-1-11-.01 Ballot Secrecy

Record Note: *This item appears on the meeting agenda as Item VII, Rule Making, a section separate from New Business. It was taken up immediately following the Executive Session and is recorded here under the Board's standing minutes structure.*

Member Grubbs presented her petition to adopt Rule 183-1-11-.01, Ballot Secrecy, promulgated under the authority granted to the Board by O.C.G.A. § 21-2-31. She read the synopsis and the four paragraphs of the proposed rule:

Paragraph 1 would require each superintendent of elections to ensure that all electors casting their vote at the polls are able to do so in private, by providing such facilities and equipment as necessary to protect the absolute secrecy of each elector's ballot, citing O.C.G.A. §§ 21-2-70(13), 21-2-379.22(5), 21-2-2(7.1), 21-2-365(6), and 21-2-373. Paragraph 2 would require each superintendent to position electronic ballot marking devices outfitted for accessibility so that voters requiring them are afforded privacy, including the ability to

communicate privately with authorized persons providing assistance. Paragraph 3 would require that where ballots cast on precinct scanners are required for any reason to be rescanned on central scanners, county election officials thoroughly shuffle the ballots before rescanning while maintaining strict ballot accounting documentation for each batch. Paragraph 4 would require the Secretary to update the software on all voting system scanners, county election management servers, and accessible unit electronic ballot marking devices used in polling places, not later than September 15, 2026, to provide for proper randomization of ballot image identifying numbers, and would further provide that where feasible such software and hardware updates shall permit casting of accessible unit electronic ballot marking device paper ballots similar in style and appearance to hand marked ballots when hand marked ballots are the primary method of polling place voting.

Member Grubbs read a statement she had prepared, titled "The Sacred Rite of the Secret Ballot," addressing Article 2, Section 1, Paragraph 1 of the Georgia Constitution and the distinction between confidentiality and anonymity. She stated that "the approaching date of an election cannot make an unlawful procedure lawful." She responded to the morning's public comment, stating that Paragraph 3 does not advocate rescanning but governs the handling of ballots if a rescan occurs, and that writing a rule is not codifying legislation. She read a June 18, 2023 email from former Chairman Duffy and the responses of then-members regarding the Secretary of State's decision not to apply the Dominion software update, and stated that the issue is not new.

Member Grubbs asked whether the Board would be willing to vote on Paragraphs 1 through 3 and meet within the following week to work through a remedy for Paragraph 4. Vice Chair King stated that her concerns extend to the entire rule, that Paragraph 2 could require smaller counties to close voting stations and create long lines, that she could not identify a circumstance in which rescanning is appropriate, and that she does not believe the Board has the authority to instruct the Secretary of State. She added that she believes updates are to be provided at no cost under the Dominion contract and that she is frustrated the update has not occurred. She stated that meeting again to rework a single paragraph would not be productive.

Member Ghazal cited memory card failure as a legitimate reason for rescanning and noted statutory provisions permitting it before certification. She stated that she supported the software update in 2023, continues to support it, and is frustrated that it has not been made, but that the determination is outside the authority of the Board. She explained the underlying issue, that the algorithm mixing the order of cast vote records in the older software version is rudimentary and can be reverse engineered, and that linking a ballot to a voter also requires knowing the order in which an individual cast their vote. She noted that disclosing how a person voted without permission carries a minimum sentence of one year and up to ten years, or a fine of up to \$100,000, per ballot, and that the encoded information enabling the reverse engineering has been ordered redacted by the Secretary of State.

Chairman Fervier stated that the original rule was three lines long and addressed private voting for handicapped persons, and that the additions had made it, in his

words, a “Christmas Tree Bill.” He stated that he does not believe the Board can direct the Secretary of State, a constitutional officer, and asked where the Board is granted statutory authority to order the shuffling of ballots on rescanning.

Motion to Continue the Petition

Motion: Member Grubbs moved to continue the petition

Second: None

Voted: Failed for lack of a second

Motion to Deny the Petition

Motion: Vice Chair King moved to deny the rule as written

Second: Member Roddy

Voted: Passed (3-1)

In Favor: Member Ghazal, Vice Chair King, and Member Roddy

Opposed: Member Grubbs

The Board voted in order of seniority, as it has done on ballot rules. Chairman Fervier announced that the motion carried to deny by a vote of three to one.

B. Update on Board Bylaws

Vice Chair King reported that work on the Bylaws began with Dr. Jan several years ago and was slowed when the case backlog became the Board's first priority. A version has been drafted and circulated to all Board members for review and feedback, and the plan is to present the completed Bylaws at the next meeting for a vote, following review by the Board's attorney. Executive Director Mills cautioned that the Attorney General's office keeps its own schedule and that the Board should not create a false expectation as to timing. Vice Chair King stated that if the Bylaws are not ready she will provide an update. No motion was made.

C. Next State Election Board Meeting

Chairman Fervier stated that the meeting scheduled for September 16 falls less than 30 days out and creates significant issues for staff, particularly as the caseload for that meeting has just been received, and that the October date falls during an election, which he stated makes it impossible for county officials to attend and prepare. Member Ghazal noted that the November date falls in the middle of the certification period. Chairman Fervier stated that the November and December meetings would be discussed at the October meeting, and that he believes the Board should meet at least once after the election and before the legislature convenes to address legislative priorities.

Motion: Vice Chair King moved to combine the September and October meetings into a single day, September 28

Second: Member Ghazal

Voted: Passed; no opposition

Member Grubbs noted that proposed rules will be needed in connection with the risk-limiting audit and hand count work she and Member Ghazal are developing with outside experts. Member Ghazal stated that a separate videoconference meeting will probably be required in the interim. Chairman

Fervier confirmed that such a meeting can be held if required, and that the official meeting for hearing cases will be held on September 28.

Record Note: *Chairman Fervier initially proposed, and twice stated, that the September and October meetings be combined on October 1. The motion as put, seconded, and adopted set the combined meeting for September 28, 2026.*

Record Note: *As with the motion to adjourn, the call for opposition and the announcement of the outcome on this motion appear within the "Simultaneous Speakers" block in the transcript rather than under a separate label for the presiding officer.*

D. Subpoenas Where Counties Do Not Comply with Investigator Requests

Vice Chair King raised instances in which investigators have reached out to counties three to six times for documents or information needed to complete investigations without receiving compliance, and stated that the Board should agree that a subpoena may be sought after a certain number of attempts. Chairman Fervier agreed, and asked that investigators alert the Board before a subpoena is issued so that members may assist. He stated that if investigators cannot obtain what they need after three documented requests with a reasonable time to respond, they should come to him or Vice Chair King, and that he will sign the subpoena. Member Grubbs supported the approach and noted her own outstanding requests to the Secretary of State's office for pilot program information from 2023 and to Fulton County.

Executive Director Mills asked that a process be established so that investigators are not required to wait for the next meeting, and suggested it be addressed in the Bylaws or by agreement of the Chairman and Vice Chair in the interim. He and Investigator Frazier described a distinction between "aggressive" and "friendly" subpoenas. Investigator Frazier reported that the Agency sought a copy of the Department of Homeland Security list identifying approximately 43,000 deceased individuals and 2,500 potential non-citizens on the Georgia voter rolls, and was told it could not be provided because of a memorandum of understanding between the Department of Homeland Security and the Secretary of State; an open records request to the Secretary of State's Office produced the same answer. Member Ghazal clarified that any such subpoenas would be administrative subpoenas rather than judicial subpoenas. No motion was made.

E. Subpoena for Fulton County Records

Member Grubbs asked that the Board obtain digital copies of the records she stated the Federal Bureau of Investigation had allegedly provided to Fulton County, identifying the custodians as Commission Chairman Rob Pitts, Clerk of the Court Che Alexander, and Elections Director Nadine Williams. Executive Director Mills reported that the Attorney General's office had filed an amended motion with the court to request those records. Member Grubbs stated that the earlier subpoenas predate the creation of these records. Vice Chair King stated that Fulton County's non-production is preventing investigators from resolving pending cases. Member Ghazal asked what the Board intends to do with the files, and Member Grubbs stated that they would aid the investigation of pending 2020 cases.

Motion: Vice Chair King moved to issue a subpoena to Fulton County for the production of the electronic files produced by the Federal Bureau of Investigation in its investigation of Fulton County

Second: Member Grubbs

Voted: Passed (3-1)

Record Note: *The transcript records one “Nay” on this motion without identifying the member who cast it. Chairman Fervier announced the result as three to one.*

Record Note: *The Clerk of the Court is named on the record as “Che Alexander,” and also as “Shea Alexander” and “Che Alexandria” in the same discussion.*

F. Request to Open an Investigation

Member Grubbs stated that at the January 2026 meeting in Barrow County, Mr. Joe Rossi presented additional information concerning ballots that were scanned and counted twice, that an additional investigation was discussed at that time, and that nothing has been done since. She stated that she intends to proceed with requesting an investigation by the Board's investigators and will review the January transcript for the precise language. Chairman Fervier cautioned that a number of investigations arising from 2020 are ongoing or completed and asked that the allegations first be checked against those. Executive Director Mills asked that the request be submitted in writing so that the Agency does what the Board intends, noting that Member Grubbs would be the complainant. No motion was made.

G. Directors and Officers Insurance and Indemnification

Member Grubbs asked whether the Board would take up directors and officers insurance and indemnification of Board members. Chairman Fervier stated that the item would be placed on a future agenda. No motion was made.

H. Elly as a County Resource

Vice Chair King stated that she and Chairman Fervier had discussed the matter and that no vote is necessary for Elly to be available as a resource to counties, and that the link will be added to the Board's website as an additional resource for counties to use as they wish. No motion was made.

Record Note: *The amended agenda posted for this meeting lists two items under New Business: A. Update on Board Bylaws, and B. Next State Election Board Meeting. Items D through H above do not appear on that agenda. Chairman Fervier introduced the subpoena items as being “on your agenda,” and after Member Grubbs raised the risk-limiting audit rules he stated “we shall add the two” in response to a request to add two further items. A vote was taken on one of the items not listed on the amended agenda, the Fulton County subpoena, which carried three to one.*

Record Note: *The request to add two further items to New Business is attributed in the transcript to Member Ghazal. The two items subsequently raised and recorded above as F and G were each raised by Member Grubbs.*

ADJOURNMENT

Chairman Fervier thanked those attending for their patience, the staff for their preparation, and Fayette County for hosting the meeting.

Motion: Vice Chair King moved to adjourn

Second: Recorded within Vice Chair King's own speaker block; no other second captured

Voted: Passed; announced as "Motion carries"

At 5:13 p.m., the Board adjourned the meeting.

Record Note: *In the transcript, the second to this motion, the call for the vote, the call for opposition, and the announcement "Motion carries. We are now adjourned." all appear within Vice Chair King's speaker block, immediately following her own motion. No separate speaker label is recorded for the presiding officer at that point, and no other second is captured.*

CERTIFICATION

I certify that these Minutes were prepared from the official verbatim transcript of the proceedings of the Georgia State Election Board conducted on August 19, 2026. This publication accurately reflects the actions taken by the Board and summarizes the proceedings in accordance with the official transcript maintained by On the Record, LLC.

Regina Dennis, CCR, CVR

Certified Court Reporter — On the Record, LLC