

DeKalb County Board of Registration and Elections

Special Called Meeting Minutes

October 7, 2020

*via zoom platform

Start Time: 9:30 a.m.

End Time: 12:30 p.m.

Board Attendees: Chair Samuel Tillman
Vice-Chair Baoky Vu
Dele Lowman Smith
Anthony Lewis
Susan Motter

Other Attendees: Erica Hamilton, Director
Viviane Ernstes, County Attorney
Terry Phillips, Deputy County Attorney
Irene Vander Els, Assistant County Attorney
Shelley Momo, Assistant County Attorney

APPROVE MINUTES

Mr. Vu called the meeting to order at 9:30a.m. Motion was made by Ms. Smith and seconded by Mr. Lewis and Ms. Motter to approve the agenda. Motion carried by unanimous vote.

PUBLIC COMMENTS

Ms. Hamilton read the rules for public comment.

Public comments may be submitted by sending an email of one page or less to ElectionsPublicCmnt@dekalbcountyga.gov. Public comments must be received between 9:30 a.m. and 10:00 a.m. on the day of the meeting. The body of your email must include your first and last name, followed by your address. Abusive, profane, or derogatory language will not be permitted. By submitting your email for public comment you agree to have your name, address, and the email broadcast on the Ustream and entered into the record in minutes. DeKalb Board of Registration and Elections reserves the right at the DeKalb Board of Registration and Election's sole discretion to add your email to the record in minutes, without reading any of it into the broadcast, or read all or a portion of your email into the record in minutes. The Public Comments received are attached and hereby incorporated into these minutes by reference. See attachment(s)

UPDATES

A) NVAHI

Ms. Hall presented a PowerPoint. See attachment(s).

B) Communications

Mr. Burton provided updates on the Registered and Ready Event.

C) VR&E Director

See Ms. Hamilton's report attached.

D) DeKalb County Commissioners' Representative

Commissioner Mereda Johnson provided comments and said she is especially thankful for the \$4.7 million grant received from The Center for Civic Life.

BOARD COMMENTS

EXECUTIVE SESSION

Motion made by Mr. Lewis and seconded by Mr. Tillman to recess for Executive Session. Ms. Smith moved to resume the specially called meeting and Mr. Lewis seconded. Mr. Vu announced that the Board did not take any votes during the Executive Session meeting.

ADJOURNMENT

Ms. Smith moved to adjourn and Mr. Lewis seconded. Meeting adjourned.

Public Comments (13)

Public Comment #1

Public comments to DeKalb Board of Elections, 10/7/20

With so many areas of concern, I will focus on poor communication, absentee ballot process and security, and Covid19 backup plans for Memorial Dr. office and polling sites.

Absentee Ballot Process: Describe the process that will ensure you will process absentee ballot applications within three days of their ARRIVAL at the elections office; inform people if their application or ballot is rejected and how to correct the problem so their vote will count; how to have all ballots processed by 11/2 so on 11/3 you are only processing those ballots left in drop boxes/Memorial office Nov. 3.

Absentee Ballot Security: How will such a large number of ballots be secured? What are the security protocols for picking up ballots from drop boxes? Other counties have secured larger facilities for their absentee ballots. The Memorial Drive Office is small. How will the facility be secured/locked with security guards and other security measures?

Impact of COVID19: You have closed Memorial Dr office twice now for deep cleaning because of staff Covid infections. What is the plan to continue work at polling sites and at Memorial Dr. Office if Covid cases occur among staff on or around election day?

Suggestions: 1.) if you continue to use the Memorial Dr. Office as an early voting site, redesign it so voters do not go into the main lobby of the office -- keep early voters separate from general staff; 2) Train extra poll workers so you have backups if polling staff get hit with Covid or other emergencies.

The VRE website and communications are confusing: For many years I have posted non-partisan election information to help inform voters in DeKalb. Saturday I was working on some posts for November but could NOT find the information for DeKalb on the VRE website. When I clicked on 'Voter Information' I saw a list of drop boxes that I believe is from the previous election.

Then I noticed the blue/aqua area that looks like a heading - "Voter Registration and Information" – is clickable and has November information behind it. I decided to write to you because I received questions Monday morning so I know I am not the only person who could not find the DeKalb November information. There is enough confusion about the November election, so a confusing website is a problem. Information Suppression can lead to Voter Suppression and we don't want that.

Suggestion: Clean out old information or at least add a heading naming the election – November 3 or June 9. Put November information under "Current Election Information" and "Voter Information" and not under what people think is a heading.

How have outside volunteer organizations been integrated into VRO activities, specifically into absentee vote counting?

Thank you,
Nancy Watkins 2626 Smoketree Court, Atlanta, 30345

Public Comment #2

Dear Board Members,
Given some of the security concerns around the post election period when absentee ballots and provisional ballots will continue to be counted and processed, I would like to ask the board to develop and adopt a security plan for protecting both the ballots themselves and the counting process from anyone who might want to interfere or cause mischief. Such a plan would also of course still need to allow legal public observation under GA law. Will additional physical security, such as DeKalb County Sheriff's deputies, be present 24 hours a day during this period?

Thank you,
Derek Spransy

21 Sycamore Sq
Decatur, GA

Public Comment #3

Chairman Tillman, Vice-Chairman Vu, and Board Members Lewis, Smith, and Motter:

Thank you for the opportunity to share my thoughts. I am Susannah Scott, the president of the League of Women Voters of Georgia, and a life-long resident of DeKalb County. I am committed to the League's mission of empowering voters and defending democracy.

I would like to first note that this Board habitually fails to post meeting agendas and minutes in a timely fashion, in contravention of the Open Meetings Act (§50-14-1). Minutes have not yet been posted since the June 29, 2020 Special Called Meeting. Given the importance of the upcoming November 3 election, it is imperative that this information be made available to the citizens of DeKalb.

I would like to particularly thank Board members Vu, Smith, and Motter for their efforts to implement the Working Group recommendations. I strongly encourage the full Board to take the necessary steps to completely implement those recommendations - including ensuring that Mr. Burton and his team have a contract for the communications services they have been hired to perform. I appreciate his work to improve the delivery of information to DeKalb County voters in a timely manner during this critical election cycle.

As I have previously noted, I ask that you continue to pay particular attention to the following:

- Ensure there is adequate PPE for all poll workers for the full early voting period and on Election Day.
- Ensure that absentee ballot drop boxes are located throughout the county, especially in more remote areas where there is less access to public transportation.
- Finalize the hire of the Communications Director.
- Direct the Communications Director to ensure that the election's website is easy to read, coherent, and provides up-to-date information for voters - including emergency polling location changes, including the location of absentee ballot drop boxes.
- Direct the Communications Director to create an FAQ page to address common questions, including how to check their registration status, the status of their absentee ballot requests, what provisional ballots are and how to ensure they are counted, and the time frames for counting absentee ballots.
- Ensure each polling location has a sufficient number of paper/provisional ballots.
- Ensure all poll workers have a clear understanding of both how to handle voters who requested absentee ballots but have opted to vote in person (whether because they never received their ballot, or decided they'd prefer to vote in person), as well as when it is appropriate to have voters vote on a provisional ballot.
- Design consistent and highly visible signage that can be placed at each closed polling location to direct voters to the emergency polling location.

Thank you for your time and attention to this matter. The League of Women Voters stands ready to assist DeKalb to ensure all DeKalb voters have full and equal access to the ballot box in the upcoming elections.

Sincerely,
Susannah E. Scott
2557 Hawthorne Drive NE
Atlanta, Georgia 30345

Public Comment #4

I'm extremely concerned about the change in voting location for Briarwood Precinct which typically votes at Briarwood Rec Center. It is being proposed that the precinct location be moved for election day (Nov 3rd) from Briarwood Rec Center to Lynwood Rec Center over 3.3 miles away with no mass transit option. Many of the voters impacted are located in the apartments on Buford Hwy who need access to mass transit.

I would like for Briarwood Recreation Center to be used for this precinct. If this is not possible, a better location would be to move it to John Lewis Elementary (combine with Skyland Precinct) which is closer to the precinct voters. In the pictures, the black outline is the approximate boundaries of Briarwood Precinct to show proximity to Lynwood Rec Center and John Lewis Elem.

Thank you for listening.
Stephanie Runyan
1665 Fearn Circle NE

Public Comment #5

Dear Board of Elections:

Recent improvements to your website are fantastic! Thanks to all who pushed for stronger Communications help for this office. Sharing information is vital to building trust and participation in DeKalb elections.

At your September 25 meeting, Director Hamilton said that when a precinct gets to be more than 3000 voters, you try to split that precinct, and that the most voters you'll have at a polling place is around 4000 registered voters.

Your website now includes [DeKalb Voter Statistics](#) which lists polling place sizes. The numbers on that site show that, in fact, eight polling places had in excess of 4000 ACTIVE voters in 2019, and far more were in excess in terms of registered voters – even while many precincts are under 2000 voters. Three of those large polling places had to stay open past 8pm on June 9th. These polling places had no more than two Poll Pad check-in stations each – the same number that small polling places got. This shortage of check in stations and trained check-in workers is likely to cause bottlenecks in the upcoming election.

Combined polling places may have had similar problems and deserve thorough review.

I share Chairman Tillman's concern for the long days required of poll workers, and also have concern for check-in poll workers who don't have time for rest room breaks on Election Day. We know that splitting or moving polling places shortly before an election is not an acceptable

remedy. More trained check-in personnel and more Poll Pads, particularly in large polling places, is imperative.

There should be documented reasons that any precincts had to start late, suffer interruptions in voting, or stay open late. Board members have a responsibility to look at Recap Sheets and Equipment Exception Reports (South Deshon and Stephenson High's are especially alarming), and demand specific remedies before November 3. Those remedies must be stronger than merely sending poorly qualified and poorly trained Dominion Voting representatives to polling places.

POLLING PLACES WITH MORE THAN 4,000 ACTIVE VOTERS IN 2019

SY Snapfinger Rd.

SE Silver Lake

PF Pleasantdale Rd. – open past 8pm on June 9th, 2020

OV Oak View ES

MI Miller Grove – open past 8pm on June 9th, 2020

FA Fairington – ES open past 8pm on June 9th, 2020

DC Dresden ES

BM Bethune MS

Sincerely

Liz Throop

612 Clifton Rd., NE

Atlanta, GA 30307

Public Comment #6

It will be wonderful if the November 3rd election runs efficiently, but it will mean nothing if the results are questionable.

DeKalb BRE members, you should have received an email this morning from the Coalition for Good Governance. Despite the State's intention to shoot the messenger, the Coalition is sounding an urgent alarm because the current situation with our voting equipment is untenable. Please read carefully the expert testimony that was included in the email. It is compelling evidence that the last minute software substitution on our ballot marking devices was unwise as it has been inadequately tested and can introduce more problems than it was solving. We can't know if bad actors would take advantage of this 11th hour problem, but Chair Tillman has stated that he and the Secretary of State are very worried about cyber security around this election.

Regardless of possible foreign or domestic interference, the chances that the software fix could cause new issues and errors is high enough that you must ditch the machines. Statute allows you to say the BMDs are impracticable for use, and you could instead conduct the election using hand marked paper ballots.

You bear responsibility for conducting an election you can certify with confidence that it was fair and secure. I do not envy your work which I know is beyond challenging right now. Please do not let the voters of DeKalb down.

Thank you.

Joy Wasson
612 Clifton Rd NE
Atlanta, GA 30307

Public Comment #7

Dear BRE (Board of Registration and Elections) Members,

As a Georgia voter, and a resident of DeKalb County, I am very concerned about casting my ballot. For example, the database developed by Dominion is faulty, and it has to be quickly re-developed and ready in time for early voting. What could possibly go wrong with that? Thus, voting by Absentee Ballot continues to be critically important.

We need you, the BRE, to press the VRE (the Voter Registration and Elections Office) and Director Hamilton to share basic facts and about their operations and processes so that voters will gain confidence that all votes cast will be received, secured, and counted. Certainly the VRE routinely collects data about its ongoing operations. Some of that data needs to be shared with voters, because we need facts in order to gain confidence in the system and the process. Help DeKalb Voters see and understand the voting process as it unfolds by requiring a report at each weekly meeting that provides:

Voter Registrations: # Received _____ # Processed _____ # Outstanding _____

Applications for Absentee Ballots: # Received _____ # Processed _____ # Rejected _____ # Outstanding _____

Absentee Ballots: # Received _____ # Processed _____ # Rejected _____ # Outstanding _____

If an absentee ballot comes in without a sealed, white inner envelope included, will the votes on that ballot still be counted? If not, will you let the voter know that their ballot was spoiled? If an absentee ballot is not signed, will you notify the voter? If an absentee ballot will not be counted, when and how will you notify the voter?

How are received absentee ballots being secured and stored until staff may begin to process and scan them? During the primary and run-off elections earlier this year, observers saw boxes of ballots being brought in and out, at times, by people who were not even wearing an ID badge.

Will all counting operations be handled in your offices at the Memorial Drive building? If so, what policies and procedures have you put in place to avoid having any interruption of the absentee ballot processing due to Covid illness? Will you setup multiple shifts to process absentee ballots? Will you commit to making sure that all absentee ballots received through November 2, will have been processed and scanned by Election Day. If any response to these questions is negative, please explain why not. These issues are critical in voter's minds, and we expect the VRE to have planned for, and addressed, these and similar foreseeable disruptions.

Can you assure voters that DeKalb County has now purchased and received a sufficient number of high speed scanners to scan the anticipated high volume of absentee ballots? How long should it take to process a batch of 50,000 absentee ballots? (Certainly many more than that number will be cast in DeKalb County.)

Please make masks mandatory in the VRE office, with no exceptions. During the last BRE meeting, Erica Hamilton and Sam Tillman were in the same office, without wearing masks. That was the height of irresponsibility during a pandemic that is spread through particles in the air. It was not the kind of leadership by example that put voters' minds at ease.

Did the VRE mail applications for absentee ballots to every registered voter in the county? If yes, when were those applications mailed? What should individuals do who have not yet received their absentee ballot?

Sincerely,
Paula Bosworth
2845 Whitby Dr.
Doraville 30340

Public Comment #8

Voter Protection for In-person Voting

"The 2020 Presidential Election will be the first in 40 years to take place without a federal judge requiring the Republican National Committee to seek approval in advance for any 'ballot security' operations at the polls...This year, with a judge no longer watching, the Republicans are recruiting 50,000 volunteers in contested states to monitor polling places and challenge voters they deem suspicious-looking." (B. Gellman, The Election That Could Break America, The Atlantic, November 2020, p.10 ff)

I want to alert the individual members of the BRE as well as Director Hamilton to the possibility that some DeKalb voters may experience harassment, i.e., "ballot security" operations, intended to prevent them from voting in person by turning them away from their polling place. This harassment may be carried out by hyper-partisans, or even paramilitary, with no legitimate connections to the voting process. To anticipate exculpatory excuse-making from officialdom, there can be no serious difficulty in distinguishing legitimate, well-behaved poll watchers from aggressive, confrontational poll watchers targeting individual voters as they try to use their polling place. The possibilities for this kind of improper or illegal behavior are outlined in the article by Gellman. Attached is a brief excerpt from the Gellman

article which should give BRE members a sense of the planning behind the intended harassment. (See citation above).

I strongly encourage BRE members to read the entirety of Gellman's article. It discusses illegitimate attacks on mail-in votes as well as attacks on in-person voting discussed here. Most importantly, it posits the purpose for these attacks - creating a voting stalemate. The article can be found online at: The Atlantic, Barton Gellman, "The Election That Could Break America", November, 2020, <https://www.theatlantic.com/magazine/toc/2020/11/>.

Questions for the Board and Director Hamilton

- What have the BRE and VRE done to assure that individuals with highly partisan and disruptive intent do not employ voter intimidation tactics at polling places in DeKalb County for the November election.
- How will adequate security protection from harassment be assured for each early voting location and for each voting precinct on Election Day?
- Is it not the case the harassment of would-be voters is illegal in Georgia. If so, is it not the responsibility of the BRE to insure the VRE protects voters?

Elizabeth H. Howze
3130 Westmart Lane
Atlanta, GA 30340

Public Comment #9

To the Board of Elections:

I did a spot check on social media asking whether people had received an absentee ballot application form specifically from the DeKalb County Board of Registration and Elections. Several people said they had, and several said they hadn't. Not scientific, but not an unqualified success. No one in my household received one.

Jonathan Grant
3531 Evans Ridge Drive
Atlanta GA 30341

Public Comment #10

Status of Consultants

We learned at the last BRE meeting and from articles in the AJC that the newly hired communication director was on the verge of quitting and that the Vote at Home consultants responsible for overseeing the VRE absentee balloting operations had quit. The reason: lack of cooperation by and access to VRE Director Hamilton.

- Has the communications director returned and if so, has he been able to do his job? If the poor state of the VRE website is any indication, the answers to both questions are NO. Until today no BRE meeting notice could be found on the VRE website. I still can't find a meeting agenda.
- Have the consultants for absentee balloting been re-engaged?

Early Voting Locations

- Why is the lobby of the VRE Memorial Drive operations center planned to be an early voting location, given the Covid pandemic and the fact that it has already been closed twice recently because some employees tested positive for Covid? Notably, at the last BRE meeting, neither Director Hamilton nor Chairman Tillman, both of whom were at the operations center and sat together for much of the meeting (other BRE members were online), were wearing masks and each swapped seats with the other several times in order to speak to online BRE members.
- What is the plan if poll workers at a location become ill with Covid? Will it be shut down? How will voters know what to do?
- What will happen to the all-important central VRE operations led by Director Hamilton if Covid infections occur there? Where will they go? Delays in tallying absentee ballots will increase confusion and mistrust among voters and provide politicians desirous of sowing discord and holding on to power more opportunities to amplify charges of voter fraud.

Election Day Polling Places

- As of today, what is the precise number of polling places that have been identified and confirmed for all of DeKalb County?
- Are there adequate numbers of polling places near and easily accessible to all communities of color in DeKalb County? How many and where?
- What happened to plans to create maps of polling places like the one in Director Hamilton's office?
- How many poll workers and back up poll workers been hired and trained to meet anticipated needs on Election Day? Show the public how it was determined how many are needed.
- What efforts have been made to split up the traditional 12-14 hour shifts?

Absentee Voting

- By what means and how rapidly will voters learn if their absentee ballot was rejected? How can they be corrected?

Elizabeth Howze

Indivisible Marching Buddies of Atlanta
3130 Westmart Lane
Atlanta, GA 30340

Public Comment #11

As I listen to the meeting this morning, please ensure that a fresh N-95 mask will be available and required for every person, every day, in the office and areas where vote counting and vote processing occurs. Re-using N-95 masks will reduce their protective ability. So don't just plan for one per employee for the season, but at least one per employee per day. Thank you.

Paula Bosworth

2845 Whitby Dr.
Doraville 30340

Public Comment #12

My name is Chandra Blanks, reside at 1739 Atherton Drive Decatur, GA 30035.

Question: How many drop boxes are available in the county and is there an online list of ballot drop box locations for citizens to access? The ratio should be 1:15K

Thank you for your time,
Chandra F. Blanks
chandrablanks@bellsouth.net
404.931.7921

Public Comment #13

Dear Board Members and Mayor Ernst,

I write to express my concerns over the proposed relocation of the polling site for the Briarwood Precinct from the Briarwood Recreation Center to the Lynwood Recreation Center for the November 3rd election. This proposed change would move the polling site more than 3.3 miles to a location that is inaccessible via mass transit, a major hardship for voters along the Buford Highway corridor who rely on mass transit to access the polling location.

If Briarwood Recreation Center is not available as a polling location, I would request that an alternative location be found that offers better access to mass transit than Lynwood. One such possibility is to combine the precinct with the Skyland Precinct, which votes at John Lewis Elementary.

Thank you for your attention to this matter,

Christina Brown-Marshall
2437 Thompson Rd NE, Brookhaven, GA 30319

