

DeKalb County Board of Registration and Elections

Special Called Meeting Minutes

October 14, 2020

*via zoom platform

Start Time: 9:30 a.m.

End Time: 11:15 p.m.

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

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

APPROVE AGENDA

Mr. Tillman called the meeting to order at 9:30 a.m. Mr. Tillman added item 4 (F) to the agenda. Motion by Ms. Smith and seconded by Mr. Vu to adopt the agenda as amended. Motion carries by unanimous vote.

PUBLIC COMMENT

Mr. Tillman 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).

COMMISSIONER'S REPORT

See attachment(s).

Commissioner Lorraine Cochran-Johnson expressed concern for having adequate staffing due to long lines for early voting and PPE for personnel.

Commissioner Mereda Johnson expressed concern that elderly and disabled voters are not aware that they can come to the front of the line.

Commissioner Larry Johnson requested a detailed-budget for Friday's meeting.

APPROVAL OF MINUTES

- A) July 9, 2020 Regular Meeting
- B) July 16, 2020 Special Called Meeting
- C) August 21, 2020 Regular Meeting
- D) September 14, 2020 Regular Meeting
- E) September 25, 2020 Special Called Meeting -- was not provided during the meeting

Motion by Mr. Vu and seconded by Mr. Lewis to approve the minutes for items A, B, C and D. Ms. Smith requests that moving forward there is consistency with the minutes and it's more clear what the vote was. Motion carries by unanimous vote.

F) County Attorney Addresses the Board

Ms. Ernestes advised on the advertisement requirement for change of polling place locations. Motion by Ms. Motter and seconded by Mr. Lewis and Ms. Smith to add the proposed advertisement to the agenda for discussion purposes. Motion carries by unanimous vote.

UNFINISHED BUSINESS

A) November 3, 2020 Election Day Polling Locations

(1) Advertisement for Emergency Polling Place Changes

- Ms. Ernestes presented the ad that will posted on Legal Organ.
- Mr. Burton suggested that the ad run in additional media outlets to expand public access to the information.

(2) Response to Commissioner Mereda Johnson Regarding Elderly Voters

- 21-2-385 provides for electors who are 75 years of age or older and who are disabled, or disabled and require assistance, to advance to the front of the line. Additionally, signage is required.

Motion by Mr. Lewis and seconded by Ms. Smith to defer approval of the emergency polling place locations for the November 3, 2020 General Election and to explore media outlets to place the ad. Motion carries by unanimous vote.

NEW BUSINESS

A) Updates

(1) NVAHI

- See Ms. Hall's report attached.
- Mr. Tillman instructed the VRE to move forward with ordering additional drop boxes.

Motion by Mr. Lewis and seconded by Ms. Smith to add Memorandum of Understanding ("MOU") for NVAH to the agenda. Motion carries by unanimous vote.

Motion by Ms. Smith and seconded by Mr. Vu to approve the MOU for NVAH in a form acceptable to the County Attorney. Motion carries by unanimous vote.

(2) Communications

- Mr. Burton reported that the website is still a work in progress and has been working with IT and GIS to make it better in time for the Nov. 3 election.

Motion by Mr. Lewis and seconded by Mr. Vu to add MOU for Mr. Erik Burton to the agenda. Motion carries by unanimous vote. Motion by Ms. Smith and seconded by Mr. Vu to discuss.

Motion to approve the MOU for Mr. Burton carries by unanimous vote.

DIRECTOR'S REPORT

See attachment(s).

Ms. Smith sought an explanation as to why there are disparate outcomes in the southern portion of the county when all locations are using the same equipment and staff received the same training.

Ms. Smith asked for (a) an update on voter registration; (b) what the goal is in terms of recruiting and training poll workers; (c) if there is a need for additional poll workers on a voluntary basis; (d) an update on the additional early voting sites from last week's discussion

BOARD COMMENTS

ADJOURNMENT

Motion by Mr. Vu and seconded by Mr. Lewis to adjourn this meeting. Meeting is adjourned.

Public Comments (8)

Public Comment #1

Dear Director Hamilton and Members of the Board:

We write with two new resources and recommendations:

1. In light of high level calls and widespread reporting on potential efforts to deploy unauthorized poll watchers, disrupt polling places, and intimidate and harass voters, ***we have created the attached resource, which provides an at-a-glance rundown of the rules on intimidation, poll watchers, and challengers in Georgia.*** We hope you will consider distributing this to all poll workers and incorporating into any remaining poll worker trainings.
2. We reiterate our previous recommendation that every Georgia County, including DeKalb, ensure there are sufficient emergency and provisional ballot supplies for 40% of registered voters to minimize lines and other issues on Election Day. To assist you in calculating the number of ballots needed at each site, ***the Brennan Center for Justice has developed this tool that allows you to input the data and practices specific to DeKalb County in order to provide you with***

specialized, precinct-level recommendations for pre-printed ballots, provisional envelopes, and other materials needed for November 3rd: <https://www.brennancenter.org/issues/defend-our-elections/election-security/election-day-ballot-supply-tool>.

If you have any questions please don't hesitate to contact me and my colleague, Gowri Ramachandran. We're available at your convenience.

Kind regards,

Lori Shellenberger
Advisor, Voting Rights & Elections Program
Brennan Center for Justice at NYU School of Law
120 Broadway, Suite 1750
New York, New York 10271

Public Comment #2

Public comments to DeKalb Board of Elections, 10/14/20

Absentee Ballot Process: Provide an update on the Absentee Ballots: the number of requests received, number of requests waiting to be filled, ballots sent, ballots accepted; ballots not accepted and reasons why, success in hiring staff to open ballots, etc. Confirm that all the Drop Boxes clearly say DeKalb and are appropriate. The one at Tucker Library opened like a regular mailbox – with an opening so big someone could put damaging things in it. We thought they were supposed to open about 1 inch – larger enough for the ballot but not for a troublemaker to cause damage.

Communication Efforts: There have been massive improvements on the website over the past week! Thank you!

Will the Communication Team: 1) Put out information in multiple places on changes in polling sites, 2) develop signage and put it up at polling sites that have been changed so people who show up by mistake will know where to go, and 3) develop and put up signs at early voting and polling sites, including outside next to waiting lines, about wearing masks and no weapons allowed? You may not be able to mandate masks, but you sure can suggest wearing them!

Functioning of the BOE and VRE: Lots of issues are raised with little closure or resolution.

Partial Solution: Hire/replace the secretary who can put together minutes of the BOE meetings with a focus on the issues and solutions. Publish the minutes on the website in a timely manner – within 48 hours. Announce the meetings and the agenda at least 48 hours before the meeting. Some meetings never seem to have an agenda.

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.

Thank you,

Nancy Watkins 2626 Smoketree Court, Atlanta, 30345
Elizabeth Howze 3130 Westmart Lane, Atlanta, 30340
Paula Bosworth 2845 Whitby Drive, Atlanta, 30340

Public Comment #3

Dear Board Members:

I was encouraged that DeKalb is purchasing more Poll Pads for November 3. I observed Early Voting at South DeKalb Mall and House of Hope this week, and saw long lines and check-in stations going full tilt, while more than half of Ballot Marking Devices consistently sat empty. News and social media reports confirm that check-in capacity is the bottleneck in our voting system.

During Early Voting, Poll Pads have limited use: the voters' identification, signature, and "who voted" status are all processed on paper or computer workstations, while the Poll Pads are only used for Ballot Access Card encoding. Nevertheless, their limited numbers restrict capacity.

On Election Day, Poll Pads must perform all of these functions: voter identification, voter lookup, update of "who voted" status, signature collection, and access card encoding.

Even with recent purchases, the shortage of Poll Pads is a problem in terms of where they are being assigned. Based on the allotments reported in Director Hamilton's supplemental declaration in Anderson v. Raffensperger, some busy sites will still fall short. The designations of many polling places are unclear in that document, but some shortages jump out. For example, McWilliams/Miller Grove has the largest number of active voters, will have 15 BMDs on Election Day, but will still be stuck with just two Poll Pads. That polling place ran steadily throughout June 9th yet still had to stay open late for several hours due to high volume. Meanwhile, Pine Lake, which has the fewest active voters, will also get two Poll Pads. That's not fair or efficient.

Of course I don't know all the details about why and where equipment should be deployed, and public comments to BRE don't allow a thorough discussion – but somebody needs to be sweating the details. Ultimately, that is the BRE's responsibility.

Sincerely

Liz Throop
612 Clifton Rd., NE
Atlanta, GA 30307

Public Comment #4

To the Board:

I voted yesterday afternoon at CORE4 in Chamblee. I was in and out in under 30 minutes, even though there were about 30-40 people in line—nothing like the horror stories I’m seeing from other poll locations and counties. Lynwood Rec Center is also getting high marks for fast turnarounds, even though both it and CORE4 were two of the busier sites Monday. The staff at CORE4 was professional and the experience was pleasant. Poll workers complained about slow computers at the check-in station. I late checked by Tucker and saw a line of about 30 people outside, which is not that long, with a 30 minute turnaround for voters. The AJC’s coverage noted that DeKalb was exempt from many of the long lines that plagued Fulton, Gwinnett, and Cobb counties, so the Board and staff deserve recognition for that. DeKalb handled many more voters than Cobb or Gwinnett and did a much better job of it on Monday

The Board still needs to provide better public notice of meetings. There’s been no mention of today’s meeting on Twitter or Facebook. A legal notice in the Champion is insufficient by itself.

Jonathan Grant
3531 Evans Ridge Drive
Chamblee, GA 30341

Public Comment #5

Thank you for all the work you are doing to ensure free and fair elections. These are especially challenging times and I appreciate all the work full and part time staff are doing to make things run smooth.

Could the elections office please share details about the additional space for election day? How many people will be in each space processing ballots? How big are the spaces.

Finally, how many pollpads are allocated to combined precincts for election day? It is unclear from the Director's public statement if they are allocated 3 poll pads or if they will have 3 poll pads each.

Thanks,
Elizabeth Burns 731 Scott Circle
Decatur GA 30033.

Public Comment #6

Dear Board Members and Commissioners,

I'm sure you were being inundated with reports on voting Monday. Here are some consolidated reports of voting Monday. Hopefully these provide some details, context and suggestions. We believe the biggest remaining issues are increasing the number of poll pads and increasing staffing to process Vote by Mail ballots - intake and scanning. All of this still seems possible if addressed urgently.

As you know, over 15,000 voters voted in person Monday, and many stood in line for up to 5 hours. Below is consolidated information from dozens of reports across DeKalb.

We had record turnout but that was foreseeable going into this election and we should be adequately staffed to absorb the demand. We have 4.7million dollars to solve the problem! The lack of poll pads and slow check in process drove long lines all day.

- In fact, most voter reports noted that the BMDs were less than 1/2 in use. We heard and observed this throughout the day at every location with a line.
- Locations had 4-6 poll pads and 20-30 machines.
- And we observed that 6 poll pads could fill 6-8 BMDs consistently.
- Which means for early vote there should be 1 poll pad for every 1-2 BMDs

There were no lines for most of the day in North DeKalb, while the rest of the locations reported consistent and long lines, especially in South and East DeKalb.

- Berean Christian Church and Sam's Stonecrest reported the longest lines all day - up to 4-5 hours.
- South DeKalb Mall had 2-3 hour lines all day. This was exacerbated by a test of the ESRI app which had the staff shutting down voting every 2 hours to count voters.
- Agnes Scott, Memorial, and House of Hope were also notable at around 3 hours. A poll pad was added to Agnes Scott around noon.
- Again - all these locations reported mostly empty voting booths.
- Chamblee Core 4 and Lynwood Rec Center had no lines all day, with reports all over social media that lines were less than 15 minutes.
- Tuesday 10/13, also had reports of long lines. Voters at Agnes Scott reported waiting for 90 minutes.
- While Monday was a high demand day, there will be more as we get closer to election day. We could expect each early voting location to have over 1000 people during the last days of early voting.

It is critical to add poll pads and check in staff to Early vote locations.

This leads us to our next issue which is Election Day. There is a significant shortage of poll pads for Election Day sights. To find a solution, we will need to find out:

- How many poll pads does the department have in total?

- How can these be re-programmed for use on election day? It is critical to push for this.
- Is it possible to order more poll pads for use for both early vote and election day? Our estimate is we need at least double.
- How many scanners will be available on election day and is it possible to order more so all large precincts have 2?

Urgent need to explore options to purchase additional poll pads.

In addition, in person voting issues, we are hearing from voters who cannot find out what happened to their absentee ballots.

- Ballots are taking up to 2 weeks to arrive after they are 'issued'.
- Ballots returned to drop boxes are not showing up as accepted after a week.
- Voters who haven't received a ballot or who are worried about their ballot being processed, will vote in person in higher numbers as we get closer to election day. This is being shared widely on social media and will drive even longer lines.
- Voters who call the department either have trouble getting through or no or inconsistent answers.

Increase staff to process returned ballots within 3 days of receipt, and be prepared with enough staff to mail ballots from the county beginning Friday.

Thank you for all you are doing.

Regards,

Karen Mixon
5200 Peachtree Rd
#3215
Chamblee, GA 30341

Public Comment #7

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.

We have seen an amazing turn out by DeKalb voters over the first two days of early voting, which speaks well of DeKalb's citizens. Unfortunately, there have been long line requiring voters to wait hours to vote. I encourage you to direct the office to re-assess the needs of the polling locations and to reallocate resources to ensure that polling locations are equipped with adequate numbers of poll pads, touch screens, poll workers,

and technicians so that voters during the remainder of this election cycle are not forced to spend hours in line in order to vote.

I would also like to follow up on the new FAQ page, where the link is still broken. I encourage the Board to ensure that this page is fully functional as soon as possible.

Finally, I request that public comments be read into the record during meetings. Given the failure of this Board to publish minutes in a timely fashion (the last minutes posted on the website are from the June 29, 2020 Special Called Meeting), it is important that the public is aware of the concerns and issues their fellow citizens are raising during the public comment section. I also strongly encourage the Board to ensure that they are adhering to the Open Meetings Act (§50-14-1) by ensuring meeting agendas and minutes are posted in a timely fashion. Given the importance of the upcoming November 3 election, it is imperative that this information be made available to the citizens of DeKalb.

Thank you for your time and attention to these issues. 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 election.

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

Public Comment #8

Comment to the DeKalb County Board of Registration and Elections

Due the importance of the November 3rd election to all DeKalb County residents and the health implications of a high-turnout fall election during this pandemic, it is recommended that the Board request the County to revise and improve its website access to voter information—specifically by adding a prominent clickable box to the top portion of the home page of <https://www.dekalbcountyga.gov/> with a link to a new, **separate Current November 3, 2020 Election and Information** page that has all the relevant links in one place to the upcoming November 3rd Election and potential Runoffs, but *without* the distractions of information on the other 2020 primary, runoff and special elections currently on the County page linked to by www.dekalbvotes.com.

I would be happy to help with additional specifics, if asked.

David Moriarty, 129 Ponce de Leon Court, Decatur, GA 30030