

# DeKalb County Board of Registration and Elections

## Regular Meeting Minutes

November 12, 2020

\*via zoom platform

Start Time: 1:00 p.m.

End Time: 2:00 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

### **APPROVAL OF AGENDA**

Mr. Tillman called the meeting to order at 1:12 p.m. Mr. Phillips asked that NVAH and Communications be added to the agenda to discuss contracts. Ms. Smith asked that prearrangements for the January 5 Runoff be added to the agenda. Motion by Mr. Vu and seconded by Ms. Smith to adopt the agenda as amended. Motion carries by unanimous vote.

### **PUBLIC COMMENTS**

Mr. Tillman read the rules for public comment.

Public comment may be submitted by sending an email of one page or less to [Electionspubliccmnt@dekalbcountyga.gov](mailto:Electionspubliccmnt@dekalbcountyga.gov) which must be received between 1:00 PM and 1:30 PM 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 an email for public comment, you agree to have your name, address and the email broadcast on the UStream and entered into the record and minutes. The DeKalb Board of Registration and Elections reserves the right, at the DeKalb Board of Registration and Elections' sole discretion, to (1) add your email to the record/minutes without reading any of it into the broadcast or (2) read all or a portion of your email into the record/minutes. The Public Comments received are attached and hereby incorporated into these minutes by reference. See attachment(s).

### **OLD BUSINESS**

A) NVAHI

Mr. Phillips suggested that this contract be amended in a form that is acceptable to the County Attorney, to ensure ongoing participation and support through the audit and any recount anticipated thereafter.

Motion by Mr. Vu and seconded by Ms. Smith to authorize the County Attorney to amend the NVAHI contract in a form that is acceptable to the County Attorney through January 15, 2021 to participate in the appropriate election activities. Motion carries by unanimous vote.

#### B) Communications

Ms. Ernstes suggested that the contract with Profile Marketing be amended in a form that is acceptable to the County Attorney to ensure ongoing participation and support through the audit and any recount anticipated thereafter. Ms. Ernstes will follow-up with the Board to provide a list of actual duties and an amount of money.

Motion by Mr. Vu and seconded by Ms. Smith to defer this item for the next meeting and to allow Ms. Ernstes to continue negotiations. Motion carries by unanimous vote.

#### **UPCOMING MEETINGS**

The board discussed business to be conducted at upcoming meetings. Ms. Hamilton stated that the date to certify the December 1, 2020 Congressional District 5 Runoff is December 11<sup>th</sup>.

Ms. Hamilton advised there may need to be a special called meeting to discuss advance voting locations and changes to polling locations for the January 5, 2021 Runoff.

#### **STATE-WIDE RISK LIMITING AUDIT**

Ms. Hamilton explained that the State is requiring a hand-recount of the November 3 presidential election. VRE staff recommends starting the audit at 7:00 a.m., rather than the State's proposed start time at 9:00 a.m. Additional staff and NHAV will be in attendance on standby.

Ms. Ernstes emphasized the importance of social distancing, safety precautions, signage and the role of public safety during this process.

#### **EXECUTIVE SESSION**

Motion by Ms. Smith and seconded by Mr. Vu to recess for executive session to discuss litigation.

## **Public Comments (4)**

#### **Public Comment #1**

Dear Members of the Board:

Thank you for all your hard work during this past election cycle. We know that the record-breaking turnout placed additional stress and pressure on an already demanding process, and we are grateful for the many measures you've already taken to address issues from the June primary. Those measures include becoming the first county in Georgia to voluntarily provide key voter information in additional languages. Although much progress was made on the language access front, there are still areas that require further improvement.

Based on recommendations recently sent to the board, here are key items from those recommendations to assist in making the runoff elections more safe, secure, and accessible:

**Improve poll worker training on all aspects of running an election**, with particular emphasis on the following topics:

- Rights of voters to language assistance at the polls
- Absentee ballot drop box details and locations
- Process for cancelling absentee ballots when people decide to vote in-person, including when the voter does not have their ballot with them.
- When to use provisional ballots and what follow up information to provide to voters who vote provisionally. Of particular concern, we are aware of voters who were told that they could vote provisionally if they were **out of the county** and that their votes would count for statewide races.
- Distinction between poll monitors and poll watchers and what each is permitted to do under Georgia law.
- Monitoring for and managing intimidation and harassment of poll monitors and voters, including by poll watchers.
- Provide each polling location with a reference sheet that poll workers can consult for guidance on how to address frequently occurring issues, such as provisional ballot voting and cancellation of absentee ballots.

**Improve internal communication systems and education regarding in-language access for limited English proficiency (LEP) voters**, with particular emphasis on the following:

- Educate poll area managers on how to display and provide sample ballots in Korean and Spanish.
- Disseminate information about Advancing Justice-Atlanta's multilingual nonpartisan voter hotline to poll workers to be displayed and available to provide to voters at polling locations.
- Ensure that poll workers display the language assistance statute notice prominently at polling locations as required by law.
- Promote available language assistance resources to community members

Thank you for your consideration of these matters.

LaVita Tuff, Policy Director

2000 Asbury Square

Dunwoody, GA 30346

### Public Comment #2

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 am thankful for the incredibly hard work of the Elections staff and poll workers around the County who worked hard to ensure DeKalb voters had the best experience possible during the Nov. 3rd election cycle.

As the office prepares for the risk limiting audit (RLA), I strongly urge this Board to ensure that clear guidelines are shared with the public and volunteers who will be assisting in the process. As we all know, RLAs are an integral part of the process and helps to bolster public confidence in our voting systems, but transparency and a clear understanding of the process is also necessary. Please ensure these processes are publicly available on the Elections office's website in a timely fashion.

Additionally, given the shifting guidance from the Secretary of State's office regarding the runoff elections, it is imperative that clear information about which elections will be held on which days is shared with voters promptly. Voter turnout in DeKalb was impressive last week, and I am confident this can be replicated in the runoffs if voters understand the runoff schedule.

Finally, I once again 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 this election cycle, 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 #3

To Erica Hamilton and the DeKalb Board of Registration and Elections:

The indivisible Marching Buddies of Atlanta, as voters of DeKalb County, Georgia, applaud your ability to compromise, coordinate, and cooperate to pull off a successful election on November 3, 2020. It appears that the votes, particularly the Absentee Ballots, were counted in record time. We extend our appreciation and gratitude.

With the January 5, 2021 Run-off Election just weeks away, we ask that you maintain the status quo by:

1. Continuing your contract with the National Vote at Home group.
2. Continuing to contract with Erik Burton in his key Communications role.
3. Not change any additional polling places, or, if change is required, informing voters and the

public now, not just hours before they leave to go to the polls.

We also request that you hire sufficient staff to take care of basic Voter Registration and Election tasks, including posting the minutes of the BRE meetings since late June 2020, and from here on out, posting minutes on a timely basis. Your failure to post accurate minutes is unacceptable.

You have made great strides during 2020, and we hope to see continued good work and cooperation between the BRE and VRE, the Board of Commissioners, and your partners and stakeholders, going forward.

Sincerely yours,  
On behalf of Indivisible Marching Buddies of Atlanta  
Paula Bosworth  
2845 Whitby Dr.  
Doraville 30340

Public Comment #4

To the Board:

The DeKalb Board of Registration's method of notification for meetings has completely broken down. The @DeKalbVotes Twitter account is not being used to publicize meetings or changes to the schedule.

For example, as this meeting started the notice on the the Board's website is in error, referring to tomorrow's date. (Copy of notice included.) There is no posted noticed on the website for today's meeting.

This lack of proper and meaningful notice for meetings (and other public information lapses) have become an ongoing problem that need correcting immediately.

I suggest you remove the notice stating there is another meeting tomorrow unless you plan to hold one, in order to avoid further miscommunication.

Thank you,  
Jonathan Grant  
3531 Evans Ridge Drive  
Atlanta, GA 30341