

DeKalb County Board of Registration and Elections

Meeting Minutes

January 15, 2021

*via zoom platform

Start Time: 12:00 p.m.

End Time: 1:58 p.m.

Board Attendees: 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

APPROVAL OF AGENDA[WN1]

Mr. Vu called the meeting to order at 12:05 p.m. Mr. Lewis added Live Public Comments and an item to set the date to hear the 229 challenge. Ms. Motter asked that Commissioner's Comments be added to the agenda. Mr. Vu added Board/VRE liaison to political parties to the agenda. Motion by Ms. Smith and seconded by Mr. Lewis to adopt the agenda as amended. Motion carries by unanimous vote.

APPROVAL OF MINUTES FROM PAST MEETINGS

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|-----------------------------------|-----------------------------------|
| A) October 7th - Special called | H) November 20th - Special called |
| B) October 9th - Special called | I) November 30th |
| C) October 14th | J) December 4th - Special called |
| D) October 21st - Special called | K) December 11th |
| E) October 28th - Special called | L) December 22nd - Special called |
| F) November 12th - Special called | M) December 30th - Special called |
| G) November 19th - Special called | |

Motion by Ms. Smith and seconded by Mr. Lewis to approve the minutes for items A through M. Motion carries by unanimous vote.

Ms. Motter commented that there is a gap in the minutes approved and the minutes that have been posted to the website for the following dates:

- July 9th and 16th meetings (approved but not posted)
- August 18th and 21st meetings (approved but not posted)

- September 14th and 25th meetings (approved but not posted)

PUBLIC COMMENTS

Mr. Phillips read the rules for public comment.

Public comment may be submitted by sending an email of one page or less to Electionspubliccmnt@dekalbcountyga.gov which must be received between 12:00 PM and 12:30 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).

Mr. Lewis recommended that public comments be extended to 12:50 because the rules for public comment were read at 12:20 p.m.

Ms. Brandi Baker read the public comments during this meeting.

COMMISSIONER'S REPORT

Commissioner Larry Johnson addressed the Board and gave final remarks as this is his last meeting as Chairman of the Board of Commissioners.

NEW BUSINESS

A) Certification of January 5, 2021 General Runoff Election

Motion by Ms. Motter and seconded by Mr. Lewis to certify the results from the January 5, 2021 General Runoff Election. Motion carries by unanimous vote.

B) February 9, 2021 Special Election

Ms. Hamilton reported that staff recommends conducting advanced voting from Tuesday, January 19th through Friday, February 5th from 8:00AM to 5:00PM. Additionally, from 9:00AM to 4:00PM on Saturday, January 30th.

Motion by Mr. Lewis and seconded by Ms. Smith to approve the advanced voting location/times for the February Special Election. Motion carries by unanimous vote.

C) 2021 Board Meetings Schedule

Motion by Ms. Smith and seconded by Mr. Lewis to approve the meeting schedule for the rest of the year. Motion carries by unanimous vote.

D) Election Review Session

Ms. Smith recommended scheduling an "After Action Review (AAR)" for an upcoming meeting, for which she can provide guidance and will seek input from other board members. Mr. Vu and Mr. Lewis echoed this recommendation.

Ms. Smith offered to submit a proposed template to the Board and Ms. Hamilton by March. Public input and stakeholder input will be considered.

E) Live Public Comments

Ms. Lewis expressed the desire to have live public comments as was the format before Zoom meetings. Mr. Matelski explained how to achieve and manage live public comments.

Mr. Vu recommended 16 minutes for live public comments in which eight (8) individuals could comment for two minutes each during the allotted time. The Board discussed the logistics for including a live comment portion.

Motion by Mr. Lewis and seconded by Ms. Smith and Ms. Motter to resume live public comments for the February meeting, via audio call, for 8 individuals (2 minutes each) to comment for a maximum of 25 minutes total. Motion carries by unanimous vote.

F) Section 229 Challenge

Ms. Vander Els recommended setting a hearing date, following the February meeting, to formally adopt the written procedures regarding the challenge process. Ms. Ernestes will advise the Board on procedure for conducting a hearing via Zoom.

Mr. Lewis requested that Ms. Hamilton ensure her staff can provide notice to all of the impacted voters in February, in preparation for a March hearing date.

Motion by Mr. Lewis and seconded by Ms. Smith to adopt an action plan to hear the Section 229 challenges and to schedule a hearing in March. Motion carries by unanimous vote.

G) Political Party Liaison

The Board discussed logistics for a role in which someone in the department is proactively communicating with political parties regarding voter review panels. This person will also be responsible for answering questions from political parties.

Mr. Vu recommended limiting communications with the liaison to only the executive committee for a county political party.

OLD BUSINESS

A) Communications Update

Mr. Burton shared a presentation.

B) NVAHI Update

Ms. Hall is unavailable but will provide an update during the February meeting.

DIRECTOR'S REPORT

See attachment(s).

BOARD COMMENTS

ADJOURNMENT

Motion by Ms. Smith and seconded by Mr. Lewis to adjourn this meeting. Meeting adjourned.

Public Comments (7)

Public Comment #1

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

As always, I appreciate the opportunity to share my thoughts with you as both a DeKalb County resident, and as President of the League of Women Voters of Georgia.

I once again want to thank you for dismissing the multiple challenges to voter eligibility at the end of 2020. Those challenges were an obvious attempt to depress voter turnout in last week's runoff election and served no benefit to the citizens of DeKalb County or Georgia.

I also would like to commend the elections staff, as well as the poll workers and managers, who worked incredibly hard to ensure a smooth election on January 5th. Their commitment to fair and safe elections during a pandemic and with historic voter turnout deserves the thanks of all DeKalb citizens.

While the general and runoff elections are still fresh in everyone's minds, I strongly recommend holding a debrief with a cross section of permanent staff, poll workers and managers from around the county, vote review panelists, and voters to assess the full election cycle and determine what worked well, what needs improvement, and whether any processes need to be completely overhauled. This analysis could also be used to create more comprehensive protocols and procedures to ensure that there is a clear understanding of the processes for all participants in DeKalb County elections.

The Board decided in a recent meeting to hire a Chief Operating Officer to oversee operations of the Voter Registration and Elections office. I encourage you to post the position promptly. A review of the most recent election cycle as suggested above could prove a very useful onboarding tool for the individual you hire.

Finally, I note from the agenda that you'll be reviewing and approving minutes from the meetings held from October through December, and I am grateful that the backlog is being addressed (and that meetings and agendas are being posted in a more timely fashion). The ongoing violation of the Open Meetings Act (§50-14-1) was very concerning. I hope that we will see the minutes from the August 18th, September 14th, and September 25th meetings approved soon as well, and uploaded to the website along with the previously approved by not posted minutes from the July 9th, July 16th, and August 21st meetings.

Thank you for your time and attention to these issues.

Sincerely,

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

Public Comment #2

We've seen false and outrageous claims this election cycle about voter fraud. This is leading the majority party in our state legislature to try to restrict absentee voting even while they acknowledge there was no evidence of fraud. There are steps that can be taken by counties to provide more security and oversight of absentee ballot processes to help assuage any fears of fraud.

Please encourage the State Election Board to allow absentee ballot clerks at all polling locations and main registration office to **permit** voters to return mail ballots, show their ID, and have their ballot **accepted** for counting without risk of problems with signature match, mail delay, or drop box security.

I helped voters cure absentee ballots with signature issues. Many of these voters had simply signed their ballot envelopes a little differently from how they signed their drivers license or application. I hope they are not turned off of voting because of the extra hoops they had to go through to make sure their ballots would be counted.

If voters could go to an early voting site, show ID, and have their ballot accepted, many would feel more confident in voting processes and work would be saved in verifying identity in the elections office later.

Board members, please use your voices to advocate for more ease of voting while maintaining security and speak out against restrictions on absentee.

Thank you for your service,

Joy Wasson
612 Clifton Rd NE
Atlanta, GA 30307

Public Comment #3

Dear Board Members:

Congratulations to you and the Elections staff! The runoff went smoothly even with record turnout, despite many challenges including Covid.

Director Hamilton's wise decision to mail absentee ballot applications to voters was surely a factor in that success. Mail voting also eased congestion at Early Voting and Election Day polling places. Given the electrical demands, space demands, and labor intensity of in-person voting, the work and expense of absentee ballots is minimal. At a precinct where I poll watched on

Election Day, a third of the ballot marking devices were out of order – but light ED turnout made this problem inconsequential.

In 2020 DeKalb had to purchase, test, and deploy additional Poll Pads to meet in-person demands, even with heavy reliance on absentees. A shift to more in-person voting would require yet more outlays.

In December, Secretary of State Raffensperger said that “For the sake of our resource stretched and overwhelmed elections officials, we need to reform our absentee ballot system.” In fact, absentee voting has eased demands on in-person voting and aided administration.

There are other problems with his plans to restrict absentee ballots. Proposed requirements to include copies of ID along with absentee ballots mean some photocopies would end up inside of privacy envelopes, or would be too dark or too light to be read. Identity thieves would find the distinctive yellow envelopes an attractive target. Mailing ID with ballots would create untold administrative burdens for counties.

Requiring voters to provide excuses for why they cannot vote in person would also create new administrative tasks for elections offices.

DeKalb has worked hard to develop new workflows to process large numbers of absentees, and can build on these accomplishments. DeKalb board members should take leadership roles in resisting burdensome restrictions on absentee ballots.

I hope you will contact legislators and help them understand that restricting absentee ballots would add to, no decrease, burdens on county election offices.

Sincerely,

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

Public Comment #4

Dear Members of the Board of Registration and Elections (BRE):

Kudos for a successful runoff election. Your hard work and organization efforts, started in November, certainly served our county well throughout the runoff.

Please continue your focus on growing leadership within the VRE (Voter Registration and Elections) office, and continue the changes that worked well in 2020 and early 2021, such as informing the public about voting options, changes, and locations, speaking out in favor of multiple voting options such as absentee ballots, and generous early voting.

Absentee ballots eased demand on in-person voting, particularly when one factors in non-working ballot marking devices, and bottlenecks caused by poll pad check-ins. No excuse absentee ballots were embraced by the public, and allowed the remaining voters who prefer in-person voting to get in and out more quickly.

Please speak out in favor of continuing no-excuse voting by absentee ballot. It is more economical than in person voting, particularly in terms of personnel, equipment, and electricity costs, and the potential for fraud has been proven to be non-existent.

I do have a concern raised by several individuals in my group: what is the plan to collect and store the drop boxes? With elections security concerns, leaving them in place would seem to be risky. Please comment on how these will be handled.

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

Public Comment #5

To the Board:

- 1) Make a recording of the notice for public comment and play it at the appropriate time during meetings.
- 2) Read the public comments into the record.
- 3) Consider allowing people to prefile public comments rather.

Jonathan Grant
3531 Evans Ridge Drive
Atlanta, GA 30341

Public Comment #6

Please. Hold review as soon as possible. February or March much better than April

Paula Bosworth
Doraville ga

Public Comment #7

Below are questions and concerns that I had about the process for committee review. I am not an election expert, so some information may be deemed irrelevant.

Is each ballot QR individually unique to each voter so that the scanner would not accept a duplicated copy?

What specific paper was approved for the senate runoff and is it a paper that is common to public access?

Is public record available for number of ballots adjudicated in Dekalb?

Is public record of audit directions and rules that were distributed from the SOS available? If so I would like to read them.

Are Early votes and Election Day votes cross referenced to poll books at the end of each day or only at the end of the entire election?

I would like to propose legislation that public should be allowed access to physical ballots in public record request to rerun ballots through scanner tabulator in random audit request and also recount by hand if non-human readable QR coding is the continued method that is tabulated by computers. From my perspective, public access is highly controlled by departments choosing methods and people to monitor themselves, which some may consider problematic in a true republic.

The delays from the Garland court case, transparency issues, and box handing methods should be a non-partisan issue concerning to both parties. If someone makes such a request I would like to see full transparency with video recorded and posted as public record for anyone who touched, opened, scanned, and handled ballots from opening of cages to returning of the box and locking of cages.

I would like to propose that if hand count audit is repeated again, any entries should be time stamped with ballot manifest made public on a Read only format before and during the audit. Any entries should have data entry personnel stamped to the entry (no sharing of passwords).

I'm not sure if it is true but one claim was made in Senate committee hearing that ARLO source code (program used to do hand count audit) is public on the website allowing little protection from hacking. What would prevent someone from adding entries to match the tabulator numbers while creating and inputting data?

Dekalb finished the hand count audit and media source announced data would be transferred the following day. Why the delay and was anyone present to witness what happened between 10pm and data transfer the next day?

Another proposal is better control of boxes with color coded seals tamper proof signed seals so one knows what has been counted already. Ie. green seal for boxes coming in and red seals for boxes going out. Cages on separate sides of the room and directions given to all volunteers explaining methods for ballot processing used I specifically in Dekalb county. Transfer of boxes between rooms should be transparent during absentee processing or in one open arena.

Do you guys recommend anyone specific to propose legislation on the governmental affairs committee?

I am not an expert in elections and feel someone with more knowledge should look at my concerns. I realize there is a cost and potential risk associated any time there is change and committees are made to

discuss and foresee reasonable measures to protect our votes. Again, I am not here to dispute election results, but improve the process.

Source of my concerns are below.

Kara

<https://billmoyers.com/story/georgias-hand-count-of-2020-ballots-was-no-risk-limiting-audit/>