

# **DeKalb County Board of Registration and Elections**

## **Special Called Meeting Minutes**

October 28, 2020

\*via zoom platform

Start Time: 9:30 p.m.

End Time: 12:00 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 THE AGENDA**

Mr. Vu called the meeting to order at 9:37 a.m. Ms. Smith added item 5 (E) to the agenda. Motion by Ms. Smith and seconded by Ms. Motter to approve the agenda as amended.

### **PUBLIC COMMENT**

Mr. Vu 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 9:30 AM and 10:00 AM 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).

### **COMMISSIONER'S REPORT**

Commissioner Larry Johnson reported the framework for the Civic Life grant budget was passed. Also, he suggested having as many provisional ballots printed as possible for Election Day.

**UNFINISHED BUSINESS**

A) ACLU – Deputy Registrars

Ms. Hamilton reported that the department plans to have deputy registrars in the larger precincts. All volunteers must complete a cybersecurity training, as required by the State, and then upon completion of that training will receive credentials for ElectionNet training modules.

The board discussed giving Mr. Vasu administrator credentials on ElectionNet to assist with preparing volunteers. In the alternative, Ms. Hart and her team will be responsible for assisting volunteers.

Motion by Ms. Smith and seconded by Ms. Motter to grant county administrator's access to Mr. Vasu Abhiraman and one designee for the purpose of credentialing deputy registrars. Motion carries 3 to 1. Mr. Lewis voted nay.

**NEW BUSINESS**

A) Updates

• NVAHI

Ms. Hall gave an update on mail-in ballots and the additional ballot drop boxes received. Ms. Hall recommended two board members collect the last batch of ballots from the post office(s) after 7:00 p.m.

The board discussed logistics for the vote review panel and identifying a nonpartisan panelist to coordinate with partisan panelists. Ms. Smith and Mr. Lewis volunteered to retrieve ballots from the post office(s).

• Communications

Mr. Burton gave an update on the translation of ballots, FAQs, and change in precinct documents. Stakeholder communications coming soon. Mr. Burton requested that two board members volunteer to be available for his Election Day Response team efforts.

Ms. Smith emphasized the need for the public to use the drop boxes moving forward rather than relying on the mail.

B) November 3, 2020 General/Special Election Poll Official Approval

Motion by Ms. Smith and seconded by Ms. Motter and Mr. Lewis to approve the list of poll officials for the November 3, 2020 General and Special Elections. Motion carried by unanimous vote.

C) Equipment Allocation

Ms. Hamilton reported on the number of polling pads received and is coordinating with Ms. Hall to make sure identified precincts/areas get the additional equipment needed.

Ms. Smith shared that Mr. Cisewski will provide data to help determine which precincts may need additional equipment based on anticipated turnout on Election Day.

Motion by Ms. Smith and seconded by Ms. Motter to allocate poll pads in accordance with Mr. Cisewski's turnout data as of Friday, October 30<sup>th</sup> and recommendations from the Secretary of State, without reducing the existing number of poll pads at any precincts. Motion carried by unanimous vote.

#### D) Electors Confined to a Hospital

Ms. Hamilton explained how COVID-19 has impacted the department's process for providing ballots inside hospitals and suggested deputizing someone in the hospital to do this because staff will not be allowed inside.

Ms. Motter shared her thoughts on a pilot program at Emory Johns Creek Hospital which would allow for nurses to help patients vote who planned to vote in-person or absentee before suddenly being admitted.

Ms. Hamilton suggested deputizing someone that meets the legal requirements, completes the required training and is thereafter sworn-in, to help with patients at all the hospitals the department services on Election Day.

#### E) Time for November 13<sup>th</sup> Meeting to Certify the Election Results

The board consulted with Mr. Matelski and the attorneys for availability. All agree to schedule the meeting for Friday, November 13 at 12:00 p.m.

#### F) County Attorney's Report

Ms. Ernstes will provide a memo concerning firearms at polling locations and other pending issues before the board. Additionally, Ms. Ernstes advised the board and the public on the legal process for issues (e.g. polling place does not open on time) experienced on Election Day.

### **EXECUTIVE SESSION**

Motion by Mr. Lewis and seconded by Ms. Smith to recess for executive session. Motion carried by unanimous vote. Motion by Mr. Lewis and seconded by Ms. Motter to exit executive session. No votes were taken during the session.

Motion by Ms. Smith and seconded by Ms. Motter for the Board to resend the cancellations of electors registrations, which resulted from challenges that electors did not currently reside at the challenged electors' registered address and for which the board requires additional evidence of the elector's current residence, where such cancellation occurred between February 1, 2018 and December 31, 2018, and that a list of the affected voters be included for the minutes in this meeting. Motion carried by unanimous vote.

### **DIRECTOR'S REPORT**

See attachment(s).

The board discussed having an adequate supply of provisional and emergency ballots and envelopes.

Ms. Smith suggested someone be at the polling locations to direct voters and to answer any additional questions voters may have.

Ms. Motter recommended the department push additional information related the provisional ballots for poll workers that may not be familiar with the process.

### **BOARD COMMENTS**

### **ADJOURNMENT**

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

## **Public Comments (8)**

### **Public Comment #1**

Hello,

I would like to express the need for more pollpads to check-in voters on Election Day as more voters are expected to turn out based on historical data and Early Voting this election cycle. Therefore, I encourage you all to have more pollingpads and provisional ballots, especially in the largest precincts, and provide more transparency on how pollingpads and provisional ballots are allocated.

Thanks,

-- **Larry Lowe**

3203 Northlake Cir NE, Atlanta, GA 30345

### **Public Comment #2**

Dear Members of the Board of Registration and Elections:

Will you please address the following concerns at your meeting on 10/28/2020.

#### Processing Absentee Ballots

1. Will you implement late night, second shift, teams to count absentee ballots to keep up with the workload?
2. Will you allow mailed absentee ballots be counted if they arrive in the mail after Election Day, despite a ruling by the court on the state's case? DeKalb county must advise the voting public exactly what their obligation is, and must widely publicize it. They can blame the SOS in the

process if need be.

3. How many absentee ballots have been rejected, and for what reasons? What percentage are the rejections compared to total absentee votes received? What steps are you taking to notify voters that their ballots were rejected prior to Election Day?

#### In-Person Voting

4. What is the plan and protocol to be followed in the event folks (or militia types) show up at polling sites with guns, or otherwise behave in a way so as to attempt to intimidate voters at polling sites on Election Day?

5. Will you have a sufficient number of emergency ballots/provisional ballots, and mandatory provisional ballot white envelopes to accommodate 40 percent, or at least three hours' worth of anticipated voters?

6. Last week, Erica Hamilton said voters could call the VRE office and ask to have their absentee ballot cancelled in order to vote in person. Will the VRE provide a good phone number (and sufficient staff) to do that, and how has that been communicated to the public?

#### Poll Workers and Deputy Registrars

7. Have you begun training the deputy registrars? Do you have all of the slots filled for the deputy registrars?

8. Do you have all of the slots filled, plus backups, for poll workers? If not, how short are you on your personnel needs?

9. What is the most concerning issue that Director Hamilton worries about?

Sincerely,

On behalf of Indivisible Marching Buddies of Atlanta

Paula Bosworth, 2845 Whitby Dr., Doraville 30340

Libby Howze, 3130 Westmart Lane, Tucker 30340

#### Public Comment #3

Dear Board Members:

Please give close attention to "DeKalb Election Day Resources" by Tom Cisewski and Juliana Davila. Note the clear concentration of large precincts in African American parts of the county, and remember that long lines were a problem in those areas on June 9<sup>th</sup> and October 12<sup>th</sup>.

Director Hamilton's schedule of Poll Pad distribution in her deposition to DPG of 10/7/20 did not allocate nearly enough devices to large precincts. Demand a commitment from Director

Hamilton to distribute Poll Pads to polling places proportional to the number of voters remaining on Election Day.

Even with a fair distribution, checking in voters is likely to once again be a bottleneck and cause long lines. You must make sure that Hamilton prints out backup paper lists of voters once Early Voting has closed on Saturday. **These reports can be run through the ePulse module from Knowink and printed locally.** They would be as up to date as the voter data loaded onto Poll Pads for November 3. Make sure that every polling place gets their up-to-date list and understands that they can use it to continue checking in voters if Poll Pads once again slow down or fail altogether. It is not a state requirement that these lists be up to date, but they are of little use if they are obsolete.

This board has encouraged the Elections office to print adequate emergency ballots, but these will only be used if poll workers understand how to make use of them. It is the director's responsibility to make sure all poll managers are trained on these resources. If Poll Pads are not able to encode ballot access cards, up-to-date paper lists of voters can check in voters for voting on emergency paper ballots. These emergency ballots, while identical in form to provisional ballots, can be scanned by the voter right in the precinct. When lines are over 30 minutes long, both paper lists of voters and emergency ballots can be important and legal resources to keep voters voting in all parts of the county.

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

Public Comment #4

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 was pleased to hear during yesterday's BOC operations meeting that your Board and Elections Office will be evaluating voter turnout by precinct in order to determine where extra poll pads and other equipment will be needed on Election Day. Thank you for your efforts to ensure voters are not forced to spend hours in line in order to vote.

As the office begins processing absentee ballots, I strongly encourage the Board to increase the number of non-partisan panelists you each recommend for the Vote Review Panel. As a member of this panel, it has become obvious that the decision to require 2 non-partisan panelists for each review panel necessitates twice as many non-partisan panelists be appointed. I also request

that the Office work to make sure that Vote Review Panel members are kept in the loop via email about training, scheduling, etc. I was disconcerted to not receive any correspondence from the Office about when to arrive for training, swearing in, or scheduling.

Finally, I one 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 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 #5

**Public comments to DeKalb Board of Elections, 10/28/20**

1. Increase the number of envelopes at polling sites: I understand that the county does have discretion to determine the number of provisional envelopes and other ballot supplies it will need. I support the call for the county to provide envelopes for 40% of registered voters.
2. Ensure criteria for placement of the new poll pads in the polling sites support sites with the greatest need. Ensure that Director Hamilton should distribute Poll Pads to polling places proportional to the number of voters remaining on Election Day. June 9<sup>th</sup> some polls had very long lines and should be considered for the additional pool pads.
3. Confirm that ACLU will have Deputy Registrants at polls Nov. 3 to help spoil absentee ballots.
4. Request an updated Communication consultant report based on FACTS: what has done and will be done by when and, if needed, recommendations for consideration. Last report had so many hedge words ("considering", "talked with Erica about XX") that it was unclear as to what was being done
5. Clarify issues with Absentee Ballots: time it takes between being received and showing up as "accept" on SOS MVP. Update on scanning and processing: Why was the process

changed to include 1 Dem, 1 Rep and 2 independents to review ballots and how has this interfered with the process?

6. Request an updated list of changed polling sites and what and when signage will be put onsite. Will a person be onsite all day?

Nancy Watkins

2626 Smoketree Ct Atl 30345

#### Public Comment #6

Director Hamilton and DeKalb BRE members: Anything can happen on Nov 3 (or before) and the county must be prepared to conduct an election. There have been E-net issues and Hall County recently experienced a ransomware attack that affected their elections processes. I have heard Director Hamilton discuss using Emergency Paper Ballots if the ballot marking devices are down, but Poll Pads have proven to be more of an impediment when they aren't working or cannot handle the numbers of people waiting to vote.

There is nothing preventing the county from printing or allowing precincts to print a backup of the Poll Book's updated precinct voter list so that check in could continue if there are problems with Poll Pads. The county is also able to follow emergency procedures and issue emergency ballots that are cast as regular ballots if conditions warrant. Let's not have any more excuses for hours long lines when there should be sufficient emergency ballots and back up Poll Books on hand.

I'll quote here from a letter you should have received (or will shortly) from Coalition for Good Governance:

You and your staff have been working too hard toward a successful 2020 General Election to allow computer problems on Nov 3 to stop you in your tracks. Supplying each precinct with an updated backup paper poll book and sufficient emergency paper ballots allows voting to continue when equipment is not working properly. Making sure your poll managers and workers are trained on how and when to use the backup poll books and ballots reduces lines and ensures a successful election day.

An updated backup paper poll book mirrors the information normally available in the ePoll book that confirms a voter is eligible to vote in a precinct: registration status and address, plus absentee voting status. You can create it at the close of early in-person voting, just like the ePoll books. The report can be run through the ePulse module from KnowINK\*\*, and printed locally. Should Poll Pads go down, the updated paper poll book will allow voters to be checked in without delay while also minimizing the calls necessary to resolve outstanding absentee ballots. You may also choose to use your updated backup paper poll book to expand check-in capacity



or open a check-in station for voters cancelling their mail ballots.

As you know, emergency paper ballots can be issued when lines exceed 30 minutes, when the BMDs are down, when Poll Pads are not creating ballot access cards properly, or when you simply need more voting capacity. Georgia law permits your office to declare the use of emergency ballots to speed lines if the lines are over 30 minutes. We will encourage voters to contact your office to ask that emergency ballots be used to create more capacity when lines are long. Given that emergency paper ballots are scanned in precinct by the voter just like the BMD printouts, they avoid the extra paperwork and follow-up of provisional ballots. Voters leave their precinct knowing their ballot has been cast.

I know this is a challenging election and there's more on your list than you ever imagined. But these procedures are there to be used to ensure our county's voters are not disenfranchised. Please do all you can to prepare. Thank you.

Joy Wasson  
612 Clifton Rd NE  
Atlanta, GA 30307

Public Comment #7

To the Board:

As someone who has worked for years to get information about the DeKalb Board of Elections and voting matters out to the public, I urge the Board to greatly increase its efforts to publicize polling place changes for Nov. 3. This includes emails, news announcements, and prominent sign placement at the driveway entrance to the poll places in addition to the 8 1/2 by 11 notice in a window of a closed building. In addition, all entrances to building should be covered.

The effort during the June 3 primary left much to be desired.

Sincerely,

Jonathan Grant  
3531 Evans Ridge Drive  
Chamblee, GA 30341

Public Comment #8

Dear Board Members,

I'm writing you this morning to express my lingering concerns about aspects of the election:

- I've heard there are signs/QR codes going up at closed/moved polling places. Will there be signs in plain English and directions in addition to QR codes for voters that don't have phones or don't know how to use QR codes?
- What is the status of deputies being assigned to cancel absentee ballots at the polls for people who changed their mind and want to vote in person? I heard that a lack of cooperation/transparency/whatever it was that caused the ACLU to scale back from deploying volunteers to every precinct. What happened? Why was there not full cooperation? The board mandated this program. Why was it not fully implemented?
- Are there tents being distributed to the polls that will have lines? Saying "we told the poll managers they could request them" is insufficient. Please just deploy them to the polls that need them.
- I have heard feedback that the training on provisional ballots was insufficient. Can you please email additional training information clarifying the provisional ballot process to ALL poll managers and workers, as they will likely play an important roll on November 3. This concern has still not been addressed.
- We have yet to hear any information on the machine count per precinct and how many machines and polling pads are there per how many voters. I am VERY concerned that the ratio of pollpads to voters is woefully insufficient and not in proportion to what is being done in other counties. I still have not heard an answer to this concern. We must consider the remaining number of voters per precinct when deploying these poll pads. Otherwise, we will have horrible lines and wait times once again, predictably impacting residents in South DeKalb the most, perpetuating disenfranchisement.
- Can you please confirm that ALL people working on this election will have access to N95 masks? Poll managers, poll workers, vote review panel, staff, etc. I still have not heard this concern addressed. Will you supply the vote review panel with 95 masks?
- I'm very concerned about the staffing. You've had so long to address this, and we still have no data about the staffing information. Please share that information in terms of numbers and how it corresponds to the volume of voters at each polling place? Are you using shifts? What is the plan? Did you forward the plan to NVAH as promised?

These are some of my concerns. There are more. Please reassure the public about these issues.

Also, I must reiterate my belief that these closed meetings, with the complete refusal to open public comments to people who can actually speak, like they would in person, is in violation of the Open Meetings Act. Public comments are never addressed, never read into the record, never acknowledged. It is extremely frustrating, bad practice and undemocratic.

Thank you,

Karen Mixon  
5200 Peachtree Rd

Amended June 3, 2021

#3215  
Chamblee, GA 30341