

**MINUTES OF THE MEETING OF THE BOARD  
OF REGISTRATION AND ELECTIONS  
DEKALB COUNTY  
May 22, 2020**

The DeKalb Board of Registration and Elections convened to conduct a called meeting on May 22nd, via teleconference (Zoom) while simultaneous available via livestream on DCTV's UStream channel (<https://video.ibm.com/channel/dctv-channel-23>).

Present:                   Anthony Lewis, Board Member  
                              Susan Motter, Board Member  
                              Dele Lowman Smith, Board Member  
                              Baoky Vu, Board Member  
                              Samuel Tillman, Board Member  
                              Erica Hamilton, Director  
                              Terry Phillips, Deputy County Attorney  
                              Irene Vander Els, Assistant County Attorney  
                              Shelley Momo, Assistant County Attorney  
                              Aaron Ross, Assistant County Attorney  
                              Sharon Hillman, Administrative Coordinator

Mr. Tillman called the meeting to order at approximately 4:39 PM and the agenda was adopted.

Comments from the Public

Three citizens emailed their comments between 3:30 PM and 4:00 PM. They are attached to the minutes.

Unfinished Business

A) Emergency Polling Place Change: The Board was provided a list of polling locations that could not accommodate the June 9, 2020 Election and the staff's recommendations for alternative polling locations. Ms. Hamilton stressed those alternative locations highlighted in yellow had not been confirmed. Ms. Smith motioned to approve the alternative locations that staff recommended. Mr. Vu seconded the motion. There was discussion on the suggested alternatives. Ms. Motter asked about the churches that were listed to serve as polling locations, and Ms. Hamilton stated that at this point, all churches not listed had agreed to serve as polling places. Mr. Tillman explained that with the Covid-19 crisis, there is no way to guarantee a polling location would not close last minute. After the discussion, the question was called, and the motion passed unanimously.

Ms. Hamilton stated that as there is no way to guarantee other polling locations will not drop out, it is the staff's recommendation that the Board grant Ms. Hamilton authority to make necessary changes and decisions in terms of polling places. Ms. Smith motioned to extend authority to the director to make any necessary polling location changes. Mr. Lewis seconded the motion. There was a discussion on Ms. Hamilton's authority to make changes within a certain mileage radius. Ms. Hamilton stated that she would work to ensure any alternative polling locations were within 5 miles of the original location. The question was called, and the motion passed unanimously.

## Executive Session

Mr. Tillman asked for a motion for the Board to go into Executive Session to consult with legal counsel regarding litigation. Mr. Lewis motioned to go into Executive Session. Mr. Vu second the motion. The question was called, and the motion passed with a 4-0 vote as Mr. Tillman experienced technical difficulties. The Board excused themselves to another video conference, after which, a motion was made by Ms. Smith and seconded by Mr. Vu to go back into regular session. Mr. Tillman stated the motion was made and seconded. The question was called; the motion was approved; and the meeting was called back to order with the following statement: “No decisions were made, and no votes were taken while we were in Executive Session.” A signed affidavit to this effect will be placed with the minutes

Comments from the Board – Ms. Motter stated that she has received numerous questions about drop boxes. Ms. Hamilton stated that there is a list on the website as required by the SEB Rule, and that the department is still waiting on the remainder of the drop boxes to be delivered from California. Ms. Smith echoed Ms. Motter’s statement and asked the about the most recent SEB ruling regarding opening up Absentee Ballots early. Ms. Hamilton stated that the office would begin opening them on Monday at 8:30 AM. Mr. Lewis thanked the Board Members and the staff. Mr. Vu thanked everyone for their hard work. Ms. Hamilton asked to let the Board know that on Saturday, May 23 the office would be sanitized, and Mr. Tillman stated that polling locations would be cleaned before and after voting, and the staff is doing everything to make sure the public is safe.

There being no further business, the meeting was adjourned.

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Sharon Hillman, Administrative Coordinator.  
Registration and Elections

STATE OF GEORGIA  
COUNTY OF DEKALB

OPEN MEETING AFFIDAVIT

Personally came Samuel Tillman, who on oath says that, to the best of his/her knowledge and belief, on the 23rd day of May, 2020, in the County aforesaid, a meeting of the DeKalb County Board of Voter Registration & Elections was closed to the public for the following reasons: [check appropriate line(s)]

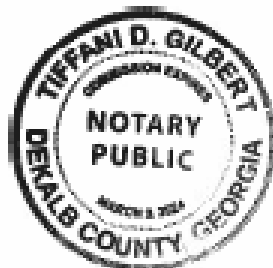
1.  Consultation with legal counsel pertaining to pending or potential litigation, claims, administrative proceedings, or other judicial actions brought or to be brought by or against the County or any department, officer or employee thereof [O.C.G.A. § 50-14-2-(1)];
2.  Those tax matters which are otherwise made confidential by state law [O.C.G.A. § 50-14-2-(2)];
3.  Staff meeting held for investigative purposes under duties and responsibilities imposed by law [O.C.G.A. § 50-14-3-(1)];
4.  Meetings of a law enforcement agency, including grand jury meetings [O.C.G.A. § 50-14-3-(3)];
5.  The future acquisition of real estate [O.C.G.A. § 50-14-3-(4)];
6.  Meeting of the governing authority of a public hospital or any committee thereof when discussing the staff privileges or the granting of abortions under state or federal law [O.C.G.A. § 50-14-3-(5)];
7.  Meeting when discussing or deliberating upon the appointment, employment, compensation, hiring, disciplinary action or dismissal, or periodic evaluation or rating of a public officer or employee but not when receiving evidence or hearing argument [O.C.G.A. § 50-14-3-(6)];
8.  Meetings of the board of trustees or the investment committee of any public retirement system created by Title 47 [O.C.G.A. § 50-14-3-(8)];
9.  Inspection of physical facilities [O.C.G.A. § 50-14-1-(2)];
10.  Meeting outside of geographical jurisdiction of agency at which no official action is to be taken [O.C.G.A. § 50-14-1-(2)];
11.  Other (please provide legal authority): \_\_\_\_\_

and that except for the foregoing, no portion of the closed meeting involved discussion, presentation, or any action on any other matter.

Sworn to and subscribed  
before me, this 23<sup>rd</sup> day of  
May, 2020

  
Notary Public

  
Signature of Chair or Presiding Officer



## **Public Comments**

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**Submitted by Liz Troop, 612 Clifton Rd. NE, Atlanta, GA 30307**

Dear Board members:

Based on news reports, descriptions from colleagues, and my own visits to polls this week, lots of people are showing up for in-person voting, despite the push for voting by mail. As Brad Raffensperger cautioned, “the extra precautions necessary to preserve voter and poll worker health during the pandemic will result in long wait times and an increased health risk.” In addition to other measures, moving older voters to the front of the line is causing hours-long delays and increased Covid risks for some younger voters.

The State Election Board did not anticipate Covid-19 when they passed Rule 183-1-12-.11 Conducting Elections, but the Board should consider it in the context of the current situation. That rule says “the types of events that may be considered emergencies are power outages, malfunctions causing a sufficient number of electronic ballot markers to be unavailable for use, or waiting times longer than 30 minutes.” That rule stipulates switching to paper ballots in emergencies. Printed paper ballots would be more sanitary than electronic devices and allow spacing options because they do not require proximity to power outlets. Voting on paper could even occur in fresh-air settings in parking lots or parking decks.

Unfortunately, the training materials provided by the Secretary of State DO NOT clarify how the emergency ballot rule should be interpreted – but Secretary Raffensperger’s repeated public statements saying “We want to prevent long lines” implies that no one should wait more than 30 minutes to vote.

Please explore options for switching to paper ballots to prevent long lines per the SEB Rule.

Sincerely

Liz Throop

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**Submitted by Paula Bosworth, Unincorporated DeKalb County**

My name is Paula Bosworth. I live at x in unincorporated Dekalb County. I submit the following questions and comments to the BRE for consideration at their live, streamed, special meeting today.

1. Why has no agenda been posted online prior to today’s special meeting?
2. Where are the minutes from last week’s (5/15/2020) regularly scheduled BRE meeting, and why have they not yet been posted on the agenda?

In addition, herewith find the questions that I attempted to submit to the BRE at the time of last week’s (5/15/2020) regularly scheduled meeting:

3. Why are you not reading aloud, during the BRE meeting, the questions submitted from the public? If we were able to be present in person, we would be able to hear all questions and comments. Your failure to make our questions and comments public during the live meeting deprives the public of full and active participation.
4. Similar to the above, why must the submission of public comments be limited to a one-half hour period at the beginning of each meeting? Under the current pandemic restrictions, why can’t questions be submitted prior to the meeting? That would allow the public to hear responses

to any questions that can be easily answered by staff, as sometimes happens during or immediately after in person BRE meetings.

5. Why wasn't the detailed report of the Director given on 4/27/2020 set forth in the minutes, i.e., the actual numbers of registrations pending and processed, the numbers of absentee ballots mailed to registered voters in the county, number returned, number still being processed, and the number of additional absentee ballots requests received by the department? The Director verbally reported on many of these items during the April 27 meeting, but the subsequent minutes omit all details. The inclusion in the minutes of the Director's report specifics should be standard operating procedure, and available to the public for easy referral after the meeting. Even better, the Director's report should be included with the meeting agenda so that the public may ask questions about the report in a timely manner.

6. This concern may require guidance to the BRE from the Dekalb County Law Department.

In the past, prior to the distancing changes brought about by the pandemic, a member of the public attending a BRE meeting who wanted to speak at the meeting, would add their name and address to a sign in sheet. This allowed the BRE to confirm that it was a Dekalb County resident who would be speaking. However, the speaker's address and any other personally identifiable information (PII) from the sign in sheet was not broadcast during the meeting or published in the minutes, except for the person's name. Notwithstanding, the instructions in the BRE virtual meeting announcement threaten to publish the mailing and email addresses of a member of the public, in addition to the publication or broadcast of their question or comment. This did have a chilling effect on me last month as I considered whether or not to submit a question, and it is why I ask that the issue be referred to the Law Department today. My concern is risk of an opportunistic interference or threat at my residence, or threat to my family, if a person with ill-intent learns of my PII while taking issue with a question, comment, or position I have presented. There should be no additional governmental necessity to publish or broadcast the PII of a participating member of the public, just because we now find ourselves in a virtual setting due to a pandemic. In-person sign in sheets were not automatically made available to the public prior to this pandemic. So how come, in this virtual setting, are we residents having to risk opening ourselves up to having our PII broadcast or published in the BRE minutes where it can be used against us? Thus I am asking the Law Department to instruct the BRE to not make residents more vulnerable in a virtual setting than they were when meetings were conducted in person, and to not publish or broadcast our PII, other than our names.

Paula Bosworth  
Unincorporated Dekalb County, Georgia

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**Submitted by Bethann Frillman, 1659 E Clifton Rd NE, Atlanta, GA 30307**

Hello, My name is Bethann Frillman, I live at 1659 E Clifton Rd NE, Atlanta, GA 30307

First, thank you to all the elections and registration staff that has been working hard during this difficult time.

I am a volunteer with the Voter Protection Hotline. For the past several weeks, I have been trying to get direct answers to the following questions. I will reiterate these questions and have a few more, in light of polling place changes. I would appreciate an answer in writing or during the public portion of the meeting.

1. What is the current lag time in processing Absentee Ballot applications? We have been seeing delays up to 2-3 weeks from when a voter emails a ballot application, to when it is 'received' by the county. Have you caught up with ballot application processing? How long should a voter expect the application processing to take going forward?

2. Are there delays in mailing ballots after they are issued? How long is this delay? Again, we are seeing delays of up to 2 weeks.

3. Have additional drop box locations been identified in addition to Memorial Drive? What are these locations and when will they be in place? Do the locations cover the entire county equitably?

4. Have you had any poll workers pull out for early voting? Do you have adequate poll worker staffing for Election Day? How are you proactively identifying poll workers who may not be able to work because of Covid 19?

5. Have all polling place changes been identified? Have you confirmed the remaining locations and are any further at risk?

6 How will you notify voters of polling place changes? What is the communications plan?

Thank you. I look forward to hearing from you.