

**MINUTES OF THE MEETING OF THE BOARD
OF REGISTRATION AND ELECTIONS
DEKALB COUNTY
June 25, 2020**

The DeKalb Board of Registration and Elections convened to conduct a called meeting on June 25, 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
Sharon Hillman, Administrative Coordinator

Mr. Tillman called the meeting to order at approximately 9:45 AM and the agenda was adopted.

Comments from the Public

Thirteen citizens emailed their comments between 9:30 to 10:00 AM. They are attached to the minutes.

Certify June 9, 2020 Election – Ms. Smith motioned to certify the results for the March 24 and May 19 Elections that took place on June 9, 2020. Mr. Vu seconded the motion. Ms. Smith requested that Ms. Hamilton provided a brief explanation of the counting process. Ms. Hamilton stated the department used the state certified scanners. Any ballot that was not accepted was reviewed by an independent vote review panel. The question was called and the motion passed unanimously.

Comments from the Board – Mr. Vu stated that all members understood the trying circumstances of the election and that many issues will be addressed during the stakeholder working group meeting. Mr. Vu also requested a breakdown for the all areas of the election so that the stakeholder working group could better understand the challenges the department faces. Ms. Motter thanked the staff, Ms. Hamilton, and the vote review panel for their hard work during the election. She also stated that she wanted the public to know that they are aware of the issues and will be working with the working group on improvements. Ms. Smith echoed Mr. Vu and Ms. Motter's comments. Mr. Lewis thanked the poll workers for their hard work during the long election day while also thanking the staff. He echoed that the Board is aware of the problems and will work to ensure the next election goes smoothly. Mr. Tillman agreed the comments made by the other board members.

There being no further business, the meeting was adjourned.

Sharon Hillman, Administrative Coordinator.
Registration and Elections

Public Comment

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

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

Thank you for the opportunity to share my thoughts regarding the June 9th election. 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. What we witnessed last Tuesday, and in the period leading up to Election Day, was the failure of the State and DeKalb County's Board of Registration and Elections to adequately safeguard DeKalb County voters' franchise.

I want to first acknowledge the hard work and diligence shown by poll workers and election staff who dealt with an unprecedented Primary Election turn out and absentee ballot returns. Their efforts and dedication during global pandemic exemplify the best attributes of our fellow citizens. However, in many ways, these dedicated workers were handicapped by decisions made by the State Election Board, the Secretary of State, and your Board, which led to too many inexcusable problems for DeKalb voters.

While I readily acknowledge that the COVID-19 pandemic has exacerbated a challenging election process that was already complicated with the roll out of a complex new voting system, this Board had ample opportunity to anticipate and counter many of the hurdles experienced by voters during the Primary Election.

I appreciated Mr. Vu's testimony to the House Governmental Affairs Committee: Elections Investigative Hearing on June 18th, and I believe he had some sound suggestions which I hope are taken on board by the Legislature, Secretary of State, and State Election Board, and that you all vocally support those recommendations. At the DeKalb level, I encourage you to take the following steps as you prepare for both the August 11th Run-off Election and the November 3rd General Election:

Hold a debriefing session with the Elections staff and all Poll Managers to determine what went right during early voting and election day, and where improvements are needed.

Re-assess all polling locations to ensure they have adequate power supplies for the new machines.

Determine, prior to the start of early voting, where all absentee ballot drop boxes will be located and ensure that information is posted in a timely manner.

Actively begin recruiting for new poll workers to replace traditional workers who are opting not to work the polls during the COVID-19 pandemic.

Arrange multiple small, in-person training sessions for new and existing poll workers, within CDC meeting guidelines, to ensure that all poll workers are familiar with the new voting machines and are capable of solving basic equipment problems quickly.

Pair new and experienced poll workers in each polling location in order to capitalize on institutional memory.

Ensure each polling location has a sufficient number of paper/provisional ballots.

Ensure all poll workers have a clear understanding of both how to handle voters who requested absentee ballots but have opted to vote in person (whether because they never received their ballot, or decided they'd prefer to vote in person), as well as when it is appropriate to have voters vote on a provisional ballot.

Design consistent and highly visible signage that can be placed at each closed polling location to direct voters to the emergency polling location.

Ensure better, more timely, and more transparent communication with DeKalb voters.

Re-assess the Registration and Elections' budget and request adequate funding from the Board of Commissioners for supplies, equipment, staffing, and training.

Petition the Secretary of State to proactively send every registered voter an absentee ballot in light of the pandemic.

Thank you for your time and attention to this matter. 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 elections.

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

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Susannah E. Scott, President (she/her)
League of Women Voters of Georgia, Inc.

Empowering Voters. Defending Democracy.

Deborah Dulin, Lithonia

My name is Deborah Dulin and I reside in Lithonia. My question is whether the BOE will make it mandatory for all poll workers, absentee ballot counters etc. to wear masks when performing their duties?

Also, my second question: Is there an easier or more effective way to communicate changes to polling sites?

Thank you,

Deborah Dulin

Janet Grant, 239 Greenwood Circle, Decatur, GA 30030

Dekalb County Board of Elections,

I am a relatively new resident of Georgia and was dismayed to see how the June 9th primary played out. This was the most effort that I have had to put into exercising my constitutional right to vote across more than 40 years of voting in five states. I was also appalled to hear of the experiences of many others including not receiving requested absentee ballots, hours long lines at polling locations, new system equipment issues, absentee ballots rejected for signature match issues and poll location changes made at the last minute.

I urge the Board to immediately address the many issues that arose, so that voters can have access to a much improved process in August and November and beyond. I know that several organizations have submitted comments, including the Dekalb Democrats, and concur with those detailed recommendations based on observations of the process. I want to emphasize a few high level recommendations that could make a real difference for voters:

I strongly support the plan of the Secretary of State to implement a secure on line portal for the request of absentee ballots. I understand this will dramatically streamline the processing required by the county staff and urge implementation as soon as possible to support requests for the remaining elections in this cycle. I urge the Dekalb Board to support this implementation with wide communication of the availability of the portal and support for voters on how to use the safe vote by mail option this fall.

In the meantime, it will be critical to appropriately staff for the processing of absentee ballot requests and processing of the actual absentee ballots. Long delays in the processing this last cycle, resulted in much voter frustration and I am sure in many cases, voters submitting multiple requests which only exasperated the volume issues. In addition, drop boxes now in place across the county should be available for use for the applications in addition to actual ballots—alleviating the need for postage and ensuring voters that their requests were received.

For those voters that choose to vote on Election Day, it is critical that polls be accessible and staffed with trained poll workers. I know the Secretary of State is encouraging community groups to “adopt” a polling location. I am aware of several organizations across Dekalb County that would be interested in supporting poll worker recruitment and encourage the Board to accept this type of collaboration.

I appreciate the opportunity to submit these comments and your efforts to improve the election process in DeKalb County.

Sincerely,

Janet Grant
239 Greenwood Circle
Decatur, GA 30030

Margaret Arnett - 1010 Greenbriar Cir, Decatur, GA 30033

First - many thanks to Erica and her team for the incredibly long hours they have worked over the last few months. This election period has been one for the history books and the staff has truly come through like champions.

Second - The desires for how voters want to participate in elections is clearly changing in Georgia. This is demonstrated by the unprecedented number of absentee ballots that were returned across the state. DeKalb County needs to rethink the old playbook in order to meet today's needs of voters. It is a new day in Georgia. Time to start getting creative and thinking outside-the-box (while abiding within all legal perimeters of Georgia Election Code, of course!).

With this in mind, I ask that DeKalb County establish a non-binding Citizens Committee made up of diverse grassroots organizations to help brainstorm ideas where unmet voter needs can be achieved, where processes might be streamlined, where taxpayer money could be saved. Grassroots organizations are the "boots on the ground" and frequently close the gaps between government bodies. The Citizens Committee would then meet with the DeKalb Board of Elections on a periodic basis to "report out" their ideas for the Board to consider. The Citizens Committee can bring a "real world" grassroots perspective, instead of the advice/opinions the board receives from county employees or even the Secretary of State's office.

Thank you for your consideration.

Margaret Arnett

Joe Profit, address not provided

In the last few days, we have written two unanswered Emails to explain system counting inaccuracies involving mail-in ballots for the still uncertified June 9th primary. Specifically, the new system is ignoring marks of clear voter intent that are required to be counted under Georgia law. [O.C.G.A. 21-2-438] and State Election Board Rules [183-15-02 (2) (e)].

This statewide technical problem has been confirmed by adjudication teams in five counties. It may be attributable to the uncertified Canon DRG2140 scanners counties like DeKalb are using.

The illegally missed votes must be identified and counted prior to certification. We are writing to submit a formal petition for recount in accordance with Georgia law. [O.C.G.A 21-2-495 (a)] to ensure these votes are counted.

We would like to have a representative present for the adjudication and recount efforts necessary to count these votes and are awaiting your reply with date, time and location of these critical election activities.

6th District U.S. Congressional Candidates

Joe Profit

Blake Harbin

Ed Williams., address not provided

Dear Election Board:

My name is Ed Williams I am the chair of Concerned Citizens for Effective Government. I am disappointed at the way the elections were managed and held during the most recent elections on June 9, 2020

I asked that you in the future let the county commission and the Secretary of State office know when there are problems before the election not after the election. It is not fair to residents to see this kind of passing the buck being done. We have fought too long for us to have the right to vote and this is what we get.

Changing the polling locations, not having enough voting machines, poll workers not knowing how to operate the machines, and poll workers failing to show up is not acceptable. We must do better.

This is not the first time we have had elections in DeKalb County. Some of these problems should have been anticipated and dealt with before the election.

In the future, I asked that you let the community, news media, and the county commission know when you suspect that there will be election issues.

It is not good enough to ask questions and point out issues after the election, The board needs to test and re-test and asked the questions before the elections. I am surprised that this happened particularly since there were two delays so there should have been plenty of time to get prepared and to let others know that you did not have enough poll workers, etc.

I am disappointed, and I hope that this does not happen again.

Thank You.

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Ed Williams. Ed.D. Chair

Betsey Schwalbach, 536 Hardendorf Avenue, NE, Atlanta, GA 30307

For the June regular Board of Elections Meeting, that has not currently the schedule, I would like the following issues addressed:

Implementation of the 3-month plan including bringing in an outside firm to manage the Vote by Mail

Discuss a proactive plan to address poll worker recruitment and training, polling place closures and changes and machine allocation in light of the long lines during the June 9th Primary.

Update on status of Voter Registration in light of the delay in certifying the June 9 Primary election. Is the department backlogged?

Thank you,

Betsy Schwalbach

536 Hardendorf Avenue, NE

Atlanta, GA 30307

Marilyn Marks, 7035 Marching Duck E504, Charlotte, NC 28210
Elections Board,

I am observing a recount in Habersham County that began yesterday. The process used in Habersham for the on-screen adjudication of votes was apparently the process used in DeKalb. Recognizing that the software was set NOT TO pick up a category of legal votes, Habersham is undertaking an automated process to identify and count those uncounted votes. Their specific vote recovery process is convoluted and we do not recommend it, but it demonstrates clearly that the software can be used as a tool to find those uncounted votes.

At an absolute minimum, a statistically valid test (consulting expert statisticians) should be undertaken to determine the likely level of uncounted votes in the close races in DeKalb to determine whether further actions are warranted. The Board needs to thoroughly understand the software actions that caused votes to be selected for NOT COUNTING. Of course the Election Code requires that all legal votes be cast where voter intent is clear. This has not been done in DeKalb.

Your Vote Review Board made the assumption, which may or may not be reasonable, that most votes that the software was set not to flag or count (those with less than 14% of the oval filled) would have been picked up in a review of votes flagged with 14% to 29% marking in the oval. In those cases, they apparently made manual adjustments to the vote totals for all such marks on that sample of ballots.

But the law does not say –“count most votes that you can determine.” It says that all votes should count.

While the process undertaken may have caught most of the votes that were marked under 14%, until you are confident (based on facts, and not guessing) that the uncounted votes will not change the result of any races, you should not certify the results.

The law does not authorize the use of software that purposely does not count valid votes on the ballots.

Marilyn Marks

Executive Director
Coalition for Good Governance

Paula Bosworth, 2845 Whitby Drive, Atlanta 30340 and Elizabeth Howze, 3130 Westmart Lane, Atlanta 30340

Comments and Questions to the Board of Registration and Election Regarding Ballots and Absentee Ballots for the June 9, 2020 Primary and Special Election

1. HAVE ALL VOTES BEEN COUNTED, even those rejected by the scanners? What assurances can you give the citizens of DeKalb County that every ascertainable vote has been counted?
2. Please explain why there was such a long delay in counting votes and in announcing results? Did you not have enough staff? Should you have requested more money and hired a larger staff, since it was widely anticipated that a very large number of absentee ballots would be returned compared to previous elections? During public comments at a BRE meeting in 2020 before meetings went online, citizen Liz Throop asked if the BRE had requested more money from the County Board in order to carry out the elections efficiently. Chair Sam Tillman responded dismissively, saying, in effect, that the elections were not a problem and that they (the BRE) had it covered.
3. However, the BRE didn't have it covered. Many DeKalb registered voters we spoke with said their applications for absentee ballots or the ballots themselves didn't come in a timely manner despite applying or voting early. Several members of the Indivisible Marching Buddies group were not notified until the day before or the day of June 9 that their absentee ballots had been received and accepted. One of us (Bosworth) had been checking the status of her ballot for days on the Secretary of State's website. She checked again at 6:45 AM on Election Day, June 9th, and only to see a message there that there was no record of her voter registration. That news caused great worry and consternation, as she believed she faced the prospect of having to vote in person despite her health risks during this Covid-19 pandemic or not vote at all. About 45 minutes later, she checked the website again to find that her ballot had been received and accepted. Second writer (Howze) did not receive notification that her ballot had been received and accepted until the night before the election despite having mailed it more than two weeks before the deadline. Her husband's ballot, mailed the same day from the same location, was received and accepted on May 31, according to the SOS website, almost 10 days before hers.
4. How frequently were ballot drop boxes emptied prior to the election? What was the daily total of ballots dropped in boxes? What provisions are being made to secure more drop box locations for August and November?
5. There were problems with the way a number of voters marked their absentee ballots. What voter education efforts will the BRE make to ensure that absentee ballots in the future are marked correctly so they can be counted accurately and rapidly? How will you reach voters whose first language isn't English?

Submitted on behalf of Indivisible Marching Buddies of Atlanta with more than 200 members by Paula Bosworth, 2845 Whitby Drive, Atlanta 30340 and Elizabeth Howze, 3130 Westmart Lane, Atlanta 30340

Paula Bosworth, 2845 Whitby Drive, Atlanta 30340 and Elizabeth Howze, 3130 Westmart Lane, Atlanta 30340

Comments and Questions to the Board of Registration and Elections Regarding Precincts for the June 9, 2020 Primary and Special Elections

1. The new electronic voting system is complex and labor intensive. Voters and the media reported that staff and volunteers were poorly trained on the new voting equipment and were unprepared to troubleshoot problems. What will you do going forward to ensure that staff and poll workers are sufficiently trained for routine machine operating tasks and are able to clear problems quickly when machines go down?
2. Voting regulations require issuing Emergency Ballots when a line of voters is of such a length that people will be waiting more than one-half hour to vote. Unfortunately, issuing Emergency Ballots failed to curtail the wait time by members of the voting public. At the Evansdale precinct, for example, where three precincts had been moved together, lengthy lines developed at some points in the day. Voters there reported that they did receive Emergency Ballots from poll workers, which they completed quickly while in line. However, they had to remain in line in order to get checked in first which took two hours. Checking the registrations of voters contributed to the lengthy wait times and defeated the purpose of issuing Emergency Ballots.
3. The process for assuring speedy check-ins for all registered voters needs to be improved. Chairman Sam Tillman was quoted in the press as acknowledging that the computer pads to check in voters were undependable and in many cases didn't work at all. This work flow pinch point problem could have been anticipated and should have been planned for. Work arounds for check-ins must be put in place because turnout in November will be many times larger than what we experienced during the June 9th election. Did each precinct have a manual or paper check in method available? Was it used? If not, why not?
4. Many precincts were changed. What affirmative steps did the DRE take to inform voters of precinct changes in a timely manner? Did the DRE prominently place signs at voters' usual polling place, informing them where their precincts had been relocated to? What is the plan for the August runoff election when polling places may need to be changed again? What actions will the BRE take to avoid long lines and wait times? The intense heat and humidity customary in Georgia in August and the continuing threat of Covid-19 add urgency to these questions and which are of special concern for the elderly, the disabled, or those with chronic health conditions.

Submitted on behalf of Indivisible Marching Buddies of Atlanta with more than 200 members by Paula Bosworth, 2845 Whitby Drive, Atlanta 30340 and Elizabeth Howze, 3130 Westmart Lane, Atlanta 30340

Jonathan Grant, 3531 Evans Ridge Drive, Chamblee, GA 30341

To the Board:

I made this request during the time frame for the cancelled June 19 meeting. I repeat it here: Please update the advance voting totals for the June 9 primary by continuing in the entry format through June 2.

Thank you.

Jonathan Grant
3531 Evans Ridge Drive

Chamblee, GA 30341

Margaret Arnett - 1010 Greenbriar Cir, Decatur, GA 30033

One of the many issues that the counties across Georgia faced during the June 9 election was the overwhelming response to voters wishing to Vote By Mail.

Yet - I submitted my request for an absentee ballot for the July 21 Run-off (NOW AUG 11) back on April 8... and still have no response from DeKalb County.

I fully understand what the situation was during the June 9 election. Staff was overloaded.

However, why hasn't my August 11 Run-Off absentee request at least been acknowledged?

Voter confidence is at an all-time low - especially after the nightmare we all experienced during the June 9 election. It would be especially helpful if DeKalb County would take the time/effort to at least acknowledge the receipt of those absentee ballot requests. At least voters would not feel their requests were lost, forgotten, etc.

Thanks
