

DeKalb County Board of Registration and Elections

Meeting Minutes

November 12, 2024

Start Time: 12:32 p.m.

End Time: 1:43 p.m.

Board Attendees: Karli Swift, Chair
Vasu Abhiraman, Vice-Chair
Nancy Jester
Anthony Lewis
Susan Motter

Other Attendees: Keisha Smith, Executive Director
Terry Phillips, Deputy County Attorney
Shelley Momo, Supervising Attorney
Michael Petty, Assistant County Attorney
Tristen Waite, Assistant County Attorney

APPROVAL OF AGENDA

Chair Swift called the Board of Registration and Elections meeting to order at 12:32 p.m. Ms. Austin read the roll by calling each board member by name. A quorum was met.

Motion by Ms. Jester, seconded by Vice-Chair Abhiraman, to approve the agenda. The motion carried unanimously.

APPROVAL OF MINUTES

Motion by Mr. Lewis, seconded by Vice-Chair Abhiraman, to approve the minutes of the October 10 scheduled meeting. The motion passed unanimously.

PUBLIC COMMENTS

Ms. Austin read the rules for public comment:

Public comments may be made in person or submitted by sending an email of one printed page or less at a minimum font of 12 to electionspubliccmnt@dekalbcountyga.gov which must be received between 35 and 5 minutes before the scheduled start of the meeting. The body of your email must include your first and last name. By submitting an email for public comment, you agree to have your name 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. All public comments will be limited to 2 minutes. Abusive, profane, or derogatory language, holding up signs, clapping, yelling, standing, or laying in the aisles to show support for or opposition to a speaker will

not be permitted, but a show of hands or quietly standing in place will be permitted to show support for or opposition to a speaker's position.

The following citizens provided public comment:

- Janet Grant
- Kendra Biegalski
- Gail Lee
- Victor Tripp

ITEMS FOR DECISION

A) Certification of the November General/Special Election

Director Smith began by presenting the research that was done after the pre-certification Board meeting. She stated that the total ballots cast was 370,438 and the number of unique voter IDs was 370,377 which was a difference of 61 discrepancies. Over the last few days, staff was able to resolve 48 of the 109 discrepancies that were reported at the previous Board meeting. She reported that overall, absentee had 2 more credits than ballots scanned because 2 envelopes contained either no ballot or no valid ballot, and that there were 17 instances in which voters were issued a ballot, but their registered precinct changed afterwards resulting in a ballot which differs from their recorded credit. She further stated that GARVIS has safeguards to prevent this from happening but they don't work perfectly in every situation. Regarding Election Day, Director Smith reported that there were 2 more credits than ballots cast and a total of 24 discrepancies overall. In several cases, voters left without casting their ballot during the bomb threats resulting in a credit without a ballot. In other cases, voters voted via the paper number list, but their identity was not properly recorded resulting in a ballot without a credit. She also stated that a few precincts still had unidentifiable Election Day discrepancies. For advance voting, Director Smith said there were a total of 508 discrepancies with the largest contributor being a syncing issue with the poll pads. She stated that staff we worked with KNOWiNK during the election to get the poll pads to sync properly but it never fully worked, resulting in 1244 people who had registration changes relatively close to the cutoff which did not sync to the poll pads and that those voters received ballots for their previous precinct as if the registration change had not been processed. Lastly, she advised that other sources of discrepancies included: incorrect handling of the paper numbered list credit and 33 provisional discrepancies, including 1 unknown credit, and 16 ballots that were issued or duplicated incorrectly.

Ms. Jester asked for further details surrounding instances where voters voted prior to their registration being updated. Director Smith responded that someone may have submitted a registration change online and voted before the registration was processed, voting where they were currently registered, and then the registration was processed resulting in a discrepancy. Ms. Jester asked if these discrepancies were within the county or if they occurred for voters who moved to another county. Director Smith replied that most of these discrepancies were within the county, but there could have been some outside of the county. Ms. Jester asked for details on ballots without credit and if the ones that were unable to be reconciled still count.

Ms. Momo stated that when errors like this are presented, the law requires the votes to be computed and tabulated justly. She further stated that the Board could have a discussion as to what that is.

Ms. Jester asked how this type of error happens, then what is done with the ballot, and how many of those existed.

Elections Supervisor, Jay Catherwood, explained that there was a detailed list of 24 overall errors and approximately 10 fell into this category. He stated that when a poll manager finds that a voter is not in the poll pad, there is a procedure which may include calling the VRE office. If the office is able to determine that the elector is eligible to vote, the poll manager should add their name to the number list to record the vote. In some cases, that record either wasn't made or couldn't be located.

Ms. Jester asked if there was any data at all to tie the voter to the ballot.

Mr. Catherwood replied that this was being researched as part of the 30-day report and that within 30 days some of these items would be ironed out.

Ms. Motter requested for the errors to be broken down by category and the category totals to be shown for future reconciliation reports. She said although this has always been part of the canvassing and reconciliation process, this was a new requirement and the first time the information was made public, so a key or breakdown would be helpful. Director Smith replied that the request would be completed in the future.

Mr. Lewis asked for clarification on the 2 absentee by mail discrepancies. Director Smith restated that overall there were 2 more credits than ballots scanned with regards to absentee ballots by mail because 2 envelopes contained either no ballot or no valid ballot. Mr. Lewis asked if this was a recurring type of error or if the department seen it before. Director Smith replied that this was not an unusual number compared to past elections. She further stated that she did not think the number of times this occurred raises alarm on a critical level and that it was something that the department expects to happen.

Vice-Chair Abhiraman confirmed with Director Smith that the protocol for absentee ballots is to give the voter credit prior to opening the envelope, which explained how credits were issued without a ballot or valid ballot. For early voting credits, he confirmed that everybody who voted a regular ballot has a receipt from check in so even if there was a syncing issue, the department can reconcile the credit on the back end. He further confirmed that this is the kind of work that will continue until the 30-day report is finalized and is how the department was able to reconcile 48 discrepancies already. Vice-Chair Abhiraman then inquired about Election Day and verified that when a voter is not found in the poll pads, the protocol is for the poll manager to call the VRE office to verify their eligibility. Once verified, the poll manager creates a card for them to vote a regular ballot and documents the transaction. He said, you can imagine that that kind of paperwork may sometimes not get filled out correctly or get misplaced and referenced his experience as a poll worker before joining the Board as he witnessed the situation many times.

Director Smith stated that she believed the department would be able to reconcile a few more discrepancies before the 30-day report is submitted to the Secretary of State's office.

Vice-Chair Abhiraman confirmed with Director Smith that there was no indication that any ballot was scanned or counted more than once.

Motion by Ms. Motter, seconded by Vice-Chair Abhiraman, to certify on behalf of the DeKalb Board of Registration and Elections the election results from the November 5th 2024 election.

Ms. Jester asked if there were any irregularities during L&A testing and if it was noticed properly and had meaningful public observation. Director Smith responded that there were no irregularities during L&A and that it was properly noticed and there was public observation.

Mr. Lewis asked if the SEB rule for counting the tabulation tapes and matching it to the count on the scanner was completed. Director Smith replied yes and stated that the procedures that were part of the two SEB rules were a normal part of the reconciliation process and so those steps were taken. She then requested Registration Supervisor, Holly Smith, to provide an overview of reconciliation activities during the canvass.

Ms. Smith stated that advance voting and Election Day are both canvassed in the post-election activities. She said that Mr. Catherwood provides the statement of votes cast and then those numbers are compared to the poll pad and touchscreen check ins because theoretically, everything should match. She went on to say that the canvassing team goes through every single precinct, and every single form looking for any discrepancies and for the most part everything added up equally or there's an explanation as to why not. For example, there may be a spoiled ballot or a manual activation, or some other reasoning behind why a number did not match. Ms. Smith said this post-election canvass was successful and that reconciliations were still being done for the 30-day report but for the most part the canvass was complete, and she was happy to report that there were no glaring irregularities across the board.

Ms. Jester stated that both she and Mr. Lewis were asked if the new SEB rules 183-1-12.12 and 183- 1-14.02 were complied with. Director Smith replied yes and said that the department always did those procedures as a normal part of the reconciliation.

The motion passed unanimously.

Motion by Vice-Chair Abhiraman, seconded by Ms. Jester, to recess for the purposes of signing the certification documents. The motion passed unanimously.

Motion to reconvene by Ms. Jester and seconded by Vice-Chair Abhiraman. The motion passed unanimously.

B) Advance Voting Locations and Times

Chair Swift stated for the public's awareness, that there will be a runoff election that impacts a large majority of the county on December 3rd, so the Board would be discussing and voting on advance voting locations and times.

Director Smith reported that 4 elections will be held on December 3rd: City of Atlanta (at large) Post 3, Doraville City Council District 1 post 2, and Commission Districts 3 and 7. She proposed to hold advance voting for the runoff on Saturday November 23rd from 9:00 AM to 6:00 PM, Sunday November 24th 12:00 PM to 5:00 PM and Monday through Wednesday, the week of Thanksgiving, 9:00 AM to 6:00 PM.

Chair Swift stated for the public's clarity that the reason why the advanced voting dates are the way they are is because of the Thanksgiving holiday and that there cannot be advance voting dates the week of the election.

Director Smith said that the State mandated that advanced voting ends the Wednesday before the holiday. She then presented the proposed advance voting locations which included: Dunwoody

Library, North DeKalb Senior Center, Briarwood Recreation Center, Tucker Library, Emory, Memorial, New Bethel, New Life, and Stonecrest.

Ms. Jester commented that there was no race affecting the area of Dunwoody Library so deploying the resources someplace else may make more fiscal sense and be more appropriate for the voters. She said that North DeKalb Senior Center gets a fair amount of Doraville residents and is convenient for that voting population so that location needs to stay but she would have no heartburn over not having the Dunwoody Library unless there's an objection.

Ms. Motter commented that although North DeKalb Senior Center is in Chamblee, records indicate that over 1000 Doraville electors voted there as compared to a couple of hundred that voted at Dunwoody Library. She agreed to deploy the assets elsewhere and not have Dunwoody Library as an early voting location but certainly add a location for the City of Atlanta.

Mr. Lewis asked if there was overlap for Briarwood like there was for North DeKalb Senior Center. Director Smith replied that there was not. Mr. Lewis suggested to consider not going with Briarwood and like Ms. Jester and Ms. Motter said, redeploying some of those resources to somewhere within the area that has residents that are impacted in the runoff.

Chair Swift said she agreed with removing Dunwoody and Briarwood and adding another City of Atlanta location, potentially Bessie Branham or Neighborhood Church. She asked if the dropboxes at Briarwood and Dunwoody could be redistributed to any of the other locations. Director Smith replied that it is required for the drop boxes to be under video surveillance, and she was not sure if the cameras could be moved in the short amount of time, but she would check with IT.

Vice-Chair Abhiraman stated that the motion that allowed all advance voting locations for the General Election to accept absentee ballots carried for the runoff as well so it would be accurate to state that voters could drop their absentee ballot off during early voting hours at any early voting location regardless of whether it has a drop box or not.

Motion by Ms. Jester, seconded by Vice-Chair Abhiraman to approve the advance voting locations as listed with the removal of Dunwoody Library and Briarwood Recreation Center and the addition of Bessie Branham. The motion passed unanimously.

ITEMS FOR DISCUSSION

A) Director's Report

Chair Swift asked if there were any questions on the Director's Report and there were none.

Director Smith stated for the public that only the 113 polling locations impacted by the runoff would be open on Election Day. She also encouraged voters to check their information on the My Voter Page of the Secretary of State's website to confirm if they have a race to vote for in the runoff.

B) Pre-Certification Meeting || December Runoff

Chair Swift said that the Board was required to hold a pre-certification meeting before certifying the election results and that the date and time need to be discussed. She asked Director Smith if she

had any recommendations and if there were any concerns that the Board needed to be aware of. Director Smith replied by saying that she prefers to have as much work done as possible when any data is being presented so December 6th worked for the department if it was good for everyone else. Chair Swift asked if there was a time requirement and Ms. Momo confirmed that it had to be by 3:00 PM.

Vice-Chair Abhiraman requested to hold off on scheduling this until a little more research is done because he had been told on decent authority that it was only a minority of the 159 counties in Georgia that held this meeting and he wanted to find out more before the Board scheduled the meeting.

Ms. Jester suggested to proceed with scheduling the meeting as it could be canceled if there was some sort of consensus.

Chair Swift suggested to pencil in December 6th at 9am and asked the legal team to follow up on Vice-Chair Abhiraman's concern.

BOARD COMMENTS

Ms. Jester thanked everyone that participated and stated that while there were some issues here and there, they were dealt with pretty quickly and everybody was pretty happy. She said she was happy with the feedback she received. She asked for everybody to have a customer service and transparency mentality and while 99.9% of everybody does, every once in a while, it seemed like when there is a frictional issue it was that somebody wasn't oriented to transparency in some capacity, but those situations had gotten few and far between. She thanked the poll workers for their hard work and stated there had a couple of very minor things but mostly she got positive feedback on interactions at polling locations. She thanked everybody for that and said well done all around.

Ms. Motter said she had a list of people to thank including the office staff, Executive Director Smith, temporary employees, poll workers, The county CFO and CEO, county lawyers, runners, and the county employees that came and helped process voter registration apps. She said it took a village as always to essentially pull off the election. She requested a postmortem discussion after the runoff to address process improvements. Ms. Motter said that she heard nothing but great things while out in the field on Election Day regarding poll workers and their helpfulness. She further stated that she saw a couple of tricky situations and the poll workers were nothing but truly awesome and it was a wonder to behold.

Mr. Lewis echoed the sentiments of Ms. Motter and Ms. Jester and expressed his gratitude for everyone that participated in this election. He said it has become an interdepartmental effort now and everywhere you look there's someone pitching in to help make elections happen in DeKalb County and he was grateful for that. Mr. Lewis also thanked the tremendous number of volunteers that came in and spent hours working. He said he appreciated the legal team for taking calls on Saturday and Sunday afternoons to answer his questions and the senior staff for being so responsive to stakeholders who can sometimes be very demanding during an election. Mr. Lewis said thank you all again and that he looks forward to a smooth runoff.

Vice-Chair Abhiraman echoed the sentiments of his colleagues and said that there are so many deeply hard-working service-oriented people who work in the department who have averaged infinitesimally small amounts of sleep over the past 45 to 50 days. He said that he hopes that people from both sides of the aisle can get together to do something about the runoffs and that there are other things he believes would be integral to making elections better for voters and for election workers. Vice-Chair Abhiraman said that he hopes that there can be agreement on changing the runoff policy because he sees how difficult that it will

be on the hard-working people in this department. He thanked everybody who exhausted themselves running this election.

Chair Swift thanked Executive Director Smith and the staff for the hard work that was done administering a well-run election. She also thanked the other members of the Board who worked tirelessly behind the scenes to support Executive Director Smith. She stated that whether you agree or disagree with the result, the election was fair, and she hopes going forward, people understand that DeKalb elections are well run no matter who the winner is or what the outcome is and that there are rules in place to ensure that the result is the result based on the people's votes and actions. She agreed with Vice-Chair Abhiraman that she hopes to have bipartisan support to make sure that there are rules that help ensure, and to continue to ensure, that fair elections are administered going forward. Chair Swift thanked everyone for coming.

ADJOURNMENT

Motion by Ms. Jester, seconded by Mr. Lewis, to adjourn. The motion carried unanimously. The meeting was adjourned at 1:43 p.m.