

Elector Registration Challenge – Expired Registrations

Pursuant to 21-2-230

August 22, 2024

TO: DeKalb County Board of Registrations and Elections

FROM: William Henderson, Registration ID 03183834, Resident of DeKalb County

Honorable Board Members:

The purpose of this letter is to challenge, according to O.C.G.A. 21-2-230, the registrations of DeKalb County electors who have had NO CONTACT with the election system for 10 years or more, according to the Secretary of State's own database.

According to state laws 21-2-234 and 21-2-235, these registrations should have been removed from the county's voter roll in 2023 for reasons of inactivity, as part of the mandated list maintenance procedures.

If this probable cause hearing is sustained, the registrations shall be processed in the manner set forth in GA Code 21-2-230.

Relevant Georgia Code Citations

§ 21-2-234. Electors Who Have Failed to Vote and With Whom There Has Been No Contact in Three Years;¹ Confirmation Notice Requirements and Procedure; Time for Completion of List Maintenance Activities

Section (a) (1) states: *“As used in this Code section and Code Section 21-2-235, the term "no contact" shall mean that the elector has not filed an updated voter registration card, has not filed a change of name or address, has not signed a petition which is required by law to be verified by the election superintendent of a county or municipality or the Secretary of State, has not signed a voter's certificate, has not submitted an absentee ballot application or voted an absentee ballot, and has not confirmed the elector's continuation at the same address during the preceding five calendar years.”*

The column in the Secretary of State's Voter roll, which is available to the general public, titled **'DATE_OF_LAST_CONTACT'** is assumed to be the elector's last official contact date according to the criteria listed above.

Section (a) (2) states: *“In the first six months of each odd-numbered year, the Secretary of State shall identify all electors whose names appear on the list of electors with whom there has been no contact during the preceding five calendar years and who were not identified*

¹ **The 2019 amendment**, effective April 2, 2019, substituted "five" for "three" near the end of paragraph (a)(1) and in the first sentence of paragraph (a)(2) and inserted "has not submitted an absentee ballot application or voted an absentee ballot," in the middle of paragraph (a)(1). [This challenge is using the 5 year rule.](#)

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as changing addresses under Code Section 21-2-233. The confirmation notice described in this Code section shall be sent to each such elector during each odd-numbered year. Such notices shall be sent by forwardable, first-class mail.”

The list of registrations submitted in this challenge all have a **DATE_OF_LAST_CONTACT** before Jan 1, 2014. Based on that **DATE_OF_LAST_CONTACT**, GA Code 21-2-234 mandated that these registrations were required to be on the list the Secretary of State was mandated to compile in the first 6 months of the year 2019. All these registrations would have had no contact in the preceding 5 years.

In addition, considering the reference to changing addresses:

There is a column titled “**LAST_MODIFIED_DATE**” in the SOS’s Voter Roll. That would seem to indicate the last date on which there was a change in the data related to that registration. The changes to the registration may not be in the categories of changes that require contact from the elector. However, the contents of this column cannot be relied on to indicate whether the elector’s address has changed in the course of the 10 years they have made no contact. Many systematic ‘modifications’ to the Voter Roll have caused this ‘LAST_MODIFIED_DATE’ to have been updated for unknown reasons. In fact, all of the entries have been updated at some point in 2024 for whatever reason.

To verify this data, we checked our list against the earliest version of the Georgia State Voter Roll that is available to us, dated 01/21/2020. To confirm that no change of address had occurred on these registrations, the street addresses from 01/21/2020 were matched with the street addresses on the most current Voter Roll, 08/13/2024, indicating there was no change of address on these registrations from Jan 2020 until the present. The match performed was an EXACT Match, not a systematic search.

In addition, only those registrations whose ‘**DATE_CHANGED**’ column (the equivalent in the 2020 voter roll to the current ‘**LAST_MODIFIED_DATE**’ column) indicated there was no change made to the registration since Jan 1, 2014 were included in the list of registrations for this challenge.

Also, according to **GA Code 21-2-234**, a process was mandated to be carried out by the Secretary of State’s office. (**21-2-234 Sections (b) through (g)**). It seems very unlikely that this process was complied with, as every registration in this list is in **ACTIVE (A)** status on 01-21- 2020, with a **DATE OF LAST CONTACT** more than 5 years old, and none have had any **DATE_CHANGED** in that same period of time. It seems more likely that this process was delayed by two years, since every one of these registrations was changed to **INACTIVE (I)** on the 11-17-2021 Voter Roll.

So, the list of challenged registrations includes the registrations that SHOULD have been changed to **INACTIVE** status in the first 6 months of the year 2019 according to **GA Code 21-2-234**. According to the records, none of them were. It seems apparent that **GA Code 21-2-234** was not complied with in 2019.

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§ 21-2-235. Inactive list of electors

Section (b) states: *“An elector placed on the inactive list of electors shall remain on such list until the day after the second November general election held after the elector is placed on the inactive list of electors. If the elector makes no contact, as defined in **Code Section 21-2-234**, during that period, the elector shall be removed from the inactive list of electors. Not less than 30 nor more than 60 days prior to the date on which the elector is to be removed from the inactive list of electors, the board of registrars shall mail a notice to the address on the elector’s registration record.”*

Based on the mandates stated in **GA CODE 21-2-234**, the registrations in the submitted challenge list SHOULD have been changed to **INACTIVE** status in the year 2019. Therefore, these registrations should have been processed according to the procedures laid out in **GA Code 21-2-235** in the period after the November 2022 general election, which would have been the second general election after 2019. These procedures state the registrations should be **REMOVED FROM THE INACTIVE LIST OF ELECTORS**.

CONCLUSION

The failure of the Secretary of State to comply with **GA CODE 21-2-234** in 2019 has consequences for the 2024 election. According to just the **DATE_OF_LAST_CONTACT** alone, there are currently 7899 registrations in DeKalb County alone that have not had any contact with the election system since 12/31/2013. In doing due diligence to eliminate any registrations that may have moved since 2019, that list was culled to a total of 4861. Statewide the numbers are 82,093 and 44,265.

Whether the board agrees that there is documented evidence that registrations that are unlikely to be used to cast votes are targeted by bad actors to use for fraudulent purposes or not, these registrations are, according to State Law, not supposed to be on the list of qualified, eligible voters for the 2024 general election.

Georgia State Law also, I believe, gives the counties the ultimate responsibility for maintaining their voter rolls to be true and accurate. They are also responsible for carrying out State Laws pertaining to maintaining their eligible voter list.

This hearing is conducted to determine whether ‘probable cause’ exists to challenge the right of the listed electors to vote in the election. The probable cause, in this case, is that according to the Laws of the State of Georgia, the listed electors should not currently be on the list of eligible electors due to inactivity. At any time during the past 10 years, these electors could have made contact with the election system in any of the ways listed in **Ga Code 21-2-234** Section (a) (1), but they have not.

It is also apparent by examining the 11-17-2021 DeKalb County Voter Roll, that the process for **21-2-234** was delayed by 2 years, since every one of the challenged registrations was changed from ACTIVE to INACTIVE status sometime between 01-21-2020 and 11-17-2021. So, it seems apparent that the process mandated by **21-2-234** was carried out, but 2 years later than mandated. The electors seemed to have been notified 2 years late that they were to be moved to **INACTIVE** status,

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but they still have not initiated any contact with the DeKalb election officials in the almost 3 years since then.

As such, I am petitioning the DeKalb County Elections office to ensure that the inactive registrations on this list be marked as CHALLENGED as per **GA CODE 21-2-230** to ensure that any electors that use these inactive registrations, that should not, by law, be on the qualified voter list, have their identities properly verified and confirmed before casting a vote in Georgia.

I affirm under penalty of perjury that the information presented on this document is true to the extent of my knowledge and that I have submitted evidence specific to this list of registrations to support this challenge.

Sincerely,

William Henderson



Registration ID 03183834

Encs.: Expired Registration Challenge.xlsx (4861 Rows)

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