



BOARD OF REGISTRATION AND ELECTIONS SCHEDULED MEETING

June 27, 2022

12:00 PM

ZOOM

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DeKalb County Board of Registration and Elections

Special Called Meeting Minutes

May 27, 2022

*via zoom platform

Start Time: 5:00 p.m.

End Time: 5:34 p.m.

Board Attendees: Chair Dele Lowman Smith
Vice-Chair Nancy Jester
Anthony Lewis
Susan Motter

Other Attendees: Keisha Smith, Executive Director
Terry Phillips, Deputy County Attorney
Shelley Momo, Senior Assistant County Attorney
Irene Vander Els, Assistant County Attorney
Tristen Waite, Assistant County Attorney

APPROVAL OF AGENDA

Chair Lowman Smith called the meeting to order at 5:00 p.m. Mr. Phillips read the roll by calling each board member by name. Ms. Swift was not in attendance. Vice-Chair Jester joined later in the meeting.

ITEMS FOR DECISION

A) Recount of the Commission District 2 Primary

Mr. Phillips explained that the DeKalb County Democratic Party had requested a recount of the Commission District 2 Democratic Primary.

Motion by Vice-Chair Jester and seconded by Ms. Motter to approve a recount to be held as early as 9 a.m. the following morning. The Motion carried 4-0.

PUBLIC COMMENTS

Ms. Vander Els read the rules for public comment:

Public comments of two minutes or less may be made live via the teleconference. For those joining the meeting by telephone, please be aware that your phone number may be displayed to the public viewing or participating in the online meeting. Citizens who attend the meeting via the Zoom link above may join the public comment queue by raising their hand in the Zoom application, while citizens who attend the meeting via telephone may join the comment queue by pressing # followed by 2. There will be no comment cards, so when you are called upon, please state your name for the record. Also, please be conscious of speaking time so that everyone has an opportunity to provide input in the allotted time. Abusive, profane, or derogatory language will not be permitted.

The following citizens provided comments:

- Janel Green

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ITEMS FOR DISCUSSION

Motion by Vice-Chair Jester seconded by Mr. Lewis to add an item to the agenda discussing a hand count of the District 2 Primary. The motion carried 4-0.

Mr. Phillips advised the Board to qualify its discussion to allow the staff to ensure that they comply with the law.

Motion by the Vice-Chair and seconded by Ms. Motter to reflect the desire of the Board to simultaneously rescan the ballots and count them by hand.

Mr. Phillips recommended proceeding first with a rescan, and then, if the circumstances warranted, a hand count afterwards.

Vice-Chair Jester stated that the proposal of a simultaneous machine and hand count was based on a comment made to her by a member of the State Elections Board.

Chair Lowman Smith asked under what circumstances a hand count could be warranted. Ms. Vander Els responded that the SEB regulations contemplate a machine recount, and that a hand recount would only be performed under circumstances related to the performance of the scanners or litigation.

Mr. Lewis asked if the SEB rules prohibit the Board from deciding on a hand recount on its own. Ms. Vander Els responded that they do.

Vice-Chair Jester asked to clarify what circumstances permit a hand count. Ms. Vander Els responded that the circumstances listed in the rules were technical. Mr. Phillips offered to respond in writing.

Vice-Chair Jester asked if the Board could request a court order for a hand recount. Mr. Phillips offered to research the matter.

Ms. Motter stated for the record her understanding that the Board's hands were tied by SEB rules in its ability to order a hand recount.

Vice-Chair Jester asked for a briefing on the legal issues involved.

The Vice-Chair amended her Motion to request that the machine recount be supplemented by a hand audit if circumstances did not warrant a hand recount. The motion was seconded by Ms. Motter. The motion carried 4-0.

ADJOURNMENT

Motion by Vice-Chair Jester and seconded by Ms. Motter to adjourn the meeting. The motion carried 4-0. The meeting was adjourned at 5:34 p.m.

DeKalb County Board of Registration and Elections

Meeting Minutes

May 31, 2022

*via zoom platform

Start Time: 12:00 p.m.

End Time: 1:42 p.m.

Board Attendees: Chair Dele Lowman Smith
Vice-Chair Nancy Jester
Anthony Lewis
Susan Motter
Karli Swift

Other Attendees: Keisha Smith, Executive Director
Tiffani Gilbert, Elections Supervisor
Terry Phillips, Deputy County Attorney
Shelley Momo, Senior Assistant County Attorney
Irene Vander Els, Assistant County Attorney
Tristen Waite, Assistant County Attorney

APPROVAL OF AGENDA

Chair Lowman Smith called the meeting to order at 12:00 p.m. Ms. Austin read the roll by calling each board member by name. All members were in attendance.

Motion by Ms. Swift and seconded by Ms. Motter to approve the agenda. Motion by Ms. Swift to add discussion of the scheduled 4:30 certification to the agenda. The motion carried by a unanimous vote.

APPROVAL OF MINUTES

Motion by Vice-Chair Jester and seconded by Ms. Motter to approve the minutes for the April 14, 2022 and April 22, 2022 Special Called Meetings. The motion carried by a unanimous vote subject to the clarification of Chair Lowman Smith's comments during the April 22 meeting.

PUBLIC COMMENTS

Ms. Austin read the rules for public comment:

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The following citizens provided public comment:

- Jenine Milum
- Michelle Long Spears
- Dan Whisenhunt
- Rahul Bali
- Marilyn Marks
- Marshall Orson

ITEMS FOR DECISION

A) Advance Voting Times and Locations

Director Smith requested approval for a list of advance voting sites for the June 21 runoff.

Ms. Motter asked if these were the same locations as the last election. Director Smith responded that New Birth and Ellenwood had been removed and that Stonecrest Library was taking the place of Browns Mill Recreation Center.

Director Smith proposed the following schedule:

Saturday, June 11: 9 a.m. – 6 p.m.

Sunday, June 12: 12 p.m. – 5 p.m.

Monday, June 13 – Friday, June 17: 7 a.m. – 7 p.m.

Chair Lowman Smith and Ms. Motter expressed support for opening two sites at Memorial Drive. Mr. Lewis recommended working in shifts for the benefit of the staff.

Motion by Ms. Swift and seconded by Ms. Motter to approve the times and the following final list of sites:

Dunwoody Library
North DeKalb Senior Center
Tucker Library
Briarwood Recreation Center
Bessie Branham Recreation Center
South DeKalb Mall
Stonecrest Library
Memorial Drive (Two sites)
Berean Christian Church
Emory University

The Motion carried unanimously.

PUBLIC COMMENT

The Board agreed to reopen public comment for the benefit of a citizen who had been unable to use the raise hand feature. The following citizens provided public comment:

- Garland Favorito

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ITEMS FOR DISCUSSION

A) Discussion of Certification

Ms. Swift requested time for each member to ask questions relating to the scheduled certification.

Director Smith related that counting of the ballots was complete and keying of the tabulation was ongoing, but that progress was slower than expected due to the necessity of separating the ballots by precinct.

Ms. Swift asked if the office had been in communication with the Secretary of State's office relating to the possibility of excluding the Commission District 2 race from certification or not certifying at all.

Mr. Phillips responded that the Law Department had communicated with the Secretary of State and that the situation would be difficult given the Board's goal of certifying the most accurate possible result. He confirmed the statutory deadline of 5 p.m. for certification.

Ms. Swift asked if failing to certify would affect the runoff. Mr. Phillips offered to respond one-on-one after the meeting.

Ms. Swift asked how a hand recount of all races could be conducted. Mr. Phillips responded by citing O.C.G.A. 21-2-495 and offered to research the matter further if requested.

Ms. Swift asked about the consequences of refusing to certify the election in whole or in part. Mr. Phillips responded that any delay in certification would be the Board's decision but offered to discuss the matter later.

Ms. Swift asked if Director Smith could share details about the voting machine issues in Commission District 2. The Director responded that the investigation was ongoing.

Ms. Swift asked if a court order would be necessary to delay certification. Mr. Phillips responded that the Law Department was researching the issue and would respond offline.

Mr. Lewis reiterated Ms. Swift's request for information about the possibility of a court order. He also asked Director Smith if the Secretary of State had offered the opportunity to conduct a Risk Limiting Audit. The Director responded that the State had offered to facilitate an audit for interested counties and that DeKalb County had agreed to participate. However, no further instructions had been received to date. Mr. Lewis recommended pursuing an RLA without the State if necessary.

Mr. Lewis asked for clarification on the rules about photographing ballots during the hand count. Mr. Phillips responded that the press could bring video equipment but was requested not to film ballots; and that the public and others were not allowed to use recording equipment.

Mr. Lewis asked about Judge Boulee's order regarding photography. Mr. Phillips responded that the Law Department was aware of Judge Boulee's order when they provided their guidance.

Mr. Lewis requested more detailed information. Mr. Phillips agreed to respond later.

Vice-Chair Jester asked for information about the Election Management System and the Center for Election Services' role in configuring it.

Ms. Gilbert responded that CES creates the ballots in response to each county's request. The county then proofs the ballots and receives the election project back from CES.

The Vice-Chair asked about Logic and Accuracy testing of the voting machines. Ms. Gilbert responded that the equipment had passed its L&A tests.

The Vice-Chair asked if CES had issued a new program to correct the blank question that had appeared on touchscreens at the beginning of early voting. Ms. Gilbert responded that CES had provided instructions on how to fix the issue but had not issued a new database.

The Vice-Chair asked if a new round of Logic and Accuracy testing had been performed after this change. Ms. Gilbert responded that to her knowledge, the machines had been retested when necessary.

The Vice-Chair asked to be provided with the L&A results. She then asked if the scanners had been updated. Ms. Gilbert responded that there had been no need to retest the absentee ballot scanners since they were not affected. She was almost certain that the in-person scanners were retested but offered to follow up with confirmation.

The Vice-Chair asked if public notice of the retest had been provided. Ms. Gilbert responded that a second notice had not been published because the testing was still being done on the same database. The Vice-Chair disagreed with Ms. Gilbert's interpretation.

The Vice-Chair then asked about the second set of voting machines created to address the redistricting error in five precincts. Ms. Gilbert responded that a second database had been created to address the issue on May 1. The Vice-Chair asked if the problems with zero votes in the District 2 count appeared on the first set of machines. Ms. Gilbert responded that they did. The second set of machines using database 2 did not show the zero vote anomalies but were still being investigated.

The Vice-Chair asked how some voting machines came to report zero votes for a candidate. Ms. Gilbert responded that on some touchscreens all four candidates were displayed, and on others only three appeared. The Department had not been instructed to reprogram the scanners to account for this difference. The results from touchscreens with only three candidates were misaligned with scanners expecting four, leading to a misinterpretation of the results.

The Vice-Chair asked why some touchscreens displayed three candidates and others displayed four. Ms. Gilbert responded that she did not know, since all the machines were updated at the same time.

The Vice-Chair asked to reconfirm that the machines had undergone another round of Logic and Accuracy testing after the update. Ms. Gilbert reiterated that she believed they had but would verify that.

The Vice-Chair asked if the scanners had been reprogrammed. Ms. Gilbert responded that there were two separate issues that had been corrected. The scanners had not been updated in response to the blank question on the first day of advance voting. On the next day, sites reported that certain ballots were not scanning properly. The scanners had been updated in response to that issue.

The Vice-Chair commented that she was unsure if it was possible to trust the results from the races outside of Commission District 2 given the changes made to the voting equipment.

Chair Lowman Smith noted that a timeline of events involved was still being constructed but that the Board was not attempting to withhold information. She then requested the remaining Board members to keep their questions at a high level in deference to members of the public who had not been told that a detailed discussion would take place.

Ms. Motter commented that construction of the timeline alluded to by the Chair required information about organizations outside the Department and the outcome of that investigation was still uncertain. She noted that the technical issues involved were challenging.

She asked for future communications with outside organizations to be done in writing for documentation purposes.

Ms. Swift asked about the problems with redistricting. Director Smith responded that the correct maps had not been received from the Reapportionment Office until after redistricting had been completed.

Ms. Swift asked if the problems observed in the District 2 race came from flaws in the second database created to correct the redistricting issue. Director Smith responded that the two situations were not related as far as she could tell.

Mr. Phillips advised that in reference to their earlier questions, the Board had three options for certification: they could choose to certify the election; they could choose to delay certification; or they could choose to certify only part of the results. The latter options could cause issues with the State Elections Board, but delay could be justified if it proved necessary to ensure accurate results. However, he did not see authority for a court to order a delay.

He also commented in response to Mr. Lewis's question that Judge Boulee's order was not applicable to the situation in question, but that the Law Department would continue to review its photo rules.

Ms. Swift asked if the Board could receive guidance on its next steps after a possible delay. Mr. Phillips responded that the Law Department would continue to work on the issue.

Ms. Swift asked Director Smith if a delay would impact the schedule for issuing absentee ballots for the runoff. The Director offered to respond at 4:30.

BOARD COMMENTS

Mr. Lewis thanked the staff and volunteers for their work on a holiday weekend.

Ms. Motter echoed Mr. Lewis's comments.

Ms. Swift echoed the previous comments and thanked the public for its interest. She also stated that the staff had acted in accordance with directions by the Secretary of State and cautioned against any assumption that they had acted negligently or in bad faith.

Chair Lowman Smith's comment was not audible.

Vice-Chair Jester echoed everyone's comments and gave her appreciation to the Director and the staff.

ADJOURNMENT

Motion by Mr. Lewis and seconded by Ms. Motter to adjourn the meeting. The motion carried by a unanimous vote. The meeting was adjourned at 1:42 p.m.

DeKalb County Board of Registration and Elections

Special Called Meeting Minutes

May 31, 2022

*via zoom platform

Start Time: 4:30 p.m.

End Time: 5:47 p.m.

Board Attendees: Chair Dele Lowman Smith
Vice-Chair Nancy Jester
Anthony Lewis
Susan Motter
Karli Swift

Other Attendees: Keisha Smith, Executive Director
Terry Phillips, Deputy County Attorney
Shelley Momo, Senior Assistant County Attorney
Irene Vander Els, Assistant County Attorney
Tristen Waite, Assistant County Attorney

APPROVAL OF AGENDA

Chair Lowman Smith called the meeting to order at 4:30 p.m. Ms. Austin read the roll by calling each board member by name. All members were in attendance.

Motion by Vice-Chair Jester and seconded by Mr. Lewis to approve the agenda. The Motion carried by a unanimous vote.

ITEMS FOR DECISION

A) Certification of the May 24, 2022 General Primary and Nonpartisan General Election

Motion for the purpose of discussion by Mr. Lewis and seconded by Vice-Chair Jester to certify the election.

Chair Lowman Smith commented that the last several weeks had been strenuous for the staff. The election had been successful until election night, when a series of issues had derailed the process. The staff was working hard to deal with a series of unanticipated issues, but because of the way things unfolded, it had unfairly impugned their integrity and competence, as well as that of the Board. She reiterated that everyone involved believed in the democratic process. She hoped that as they continued the process, they could regain the credibility and trust they had worked for, and that they would share as much information as they could.

She thanked the Director, the staff, Erik Burton and Profile PR, the volunteers, attorneys, and the public.

Director Smith thanked everyone for the outpouring of support. She reported that despite long hours, the tabulation of the election was not complete. She thanked the Board for its support, but she was not confident that the tabulation available to date was what she wanted to present to the Board for certification.

Vice-Chair Jester thanked the Director for her candor. She said that the Director's honesty would give the public more confidence in the result when it was eventually certified.

Ms. Swift called for a discussion of options in moving forward. She requested a special called meeting with the Secretary of State's office and the Center for Election Services to understand what happened.

Ms. Motter stated her inclination to vote against certification and echoed Ms. Swift's call for an interface with the State and CES for a robust discussion of the past and future of election procedures. She called for improved documentation. She echoed Ms. Swift's questions about the options in moving forward.

Mr. Lewis agreed. He called for answers to the questions that the Board had raised at the previous meeting before certification and called for a meeting with the State. He also suggested a third-party audit by a specialist organization.

Mr. Phillips offered two fundamental options: The Board could certify the election, or it could delay certification until tomorrow because of the issues with District 2.

The Chair asked the Director if the situation would be any different tomorrow. The Director requested certification to be moved to Friday, June 3.

Ms. Swift offered more options beyond those given by Mr. Phillips. She asked if there was any interest in hand-counting further races, and if that was logistically possible given the upcoming runoff, and especially the need to mail absentee ballots. She asked if it would be possible for a court to move the date of the runoff.

Chair Lowman Smith asked if any data existed showing that other races could be prioritized for a hand count.

Vice-Chair Jester agreed with calls for a public meeting with the State. She suggested spot checks of individual precincts to verify the election results.

Director Smith responded that the Department already conducts internal audits of every election and having time to complete that audit would increase her confidence in the results.

Chair Lowman Smith said that she was not confident that enough information existed to construct a complete timeline of the events leading up to the election. She recommended focusing on the future in any meeting with State so the public could have confidence that the situation would not be repeated.

Mr. Lewis acknowledged the size of the audit he was proposing. He asked Director Smith what she could accomplish by Friday. The Director responded that the Department's internal audit consisted of reviewing the consistency of the election night paperwork. She would also have time to personally review some of the information which she had not yet been able to see.

Mr. Phillips recommended scheduling certification as soon as possible.

Ms. Swift asked if certain uncontroversial races could be certified earlier than the rest. Mr. Phillips recommended addressing that question tomorrow.

Vice-Chair Jester supported delaying certification to Friday. Despite her awareness of the legal deadline, she did not believe that there would be significant enough information by tomorrow to justify certification, citing the Director's recommendation.

Ms. Motter and Mr. Lewis agreed. Mr. Lewis asked what it would mean if the Board refused to certify the election. Mr. Phillips offered to research the question.

Motion by Ms. Swift to delay certification until a special called meeting at 5:00 p.m. on Friday. The Motion was seconded by Mr. Lewis. Vice-Chair Jester offered an amendment to allow the Director to reschedule the meeting earlier if it became possible. The Motion carried by a unanimous vote.

PUBLIC COMMENTS

Ms. Austin read the rules for public comment:

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The following citizens provided public comment:

- Dan Whisenhunt
- Marci McCarthy
- Stephen Binney
- Hannah Harris
- Victoria Webb
- Jeanne Dufort
- Marilyn Marks
- Marshall Orson

BOARD COMMENTS

Vice-Chair Jester appreciated all the input. She hoped that the last two meetings improved the public's confidence in the Board's commitment to understand the issues involved and deliver an accurate result. She looked forward to a robust dialog with the State. She thanked her colleagues.

Ms. Motter emphasized her appreciation to the Director, the staff, and the volunteers. She looked forward to receiving the counts.

Mr. Lewis looked forward to what the Board could learn on Friday.

Ms. Swift commented that the Board recognized the importance of every vote. She emphasized the volunteer nature of the Board, and that it was unfair to impugn the character of any Board member who was unable to attend an event in person.

She clarified that Director Smith was not stating that the hand count was flawed, but merely that it was not ready for certification due to audit requirements. She acknowledged the fairness of many public comments but stated the necessity of a delay in order to provide the best possible results.

Director Lowman Smith stated her pride in serving alongside the Board and the staff.

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ADJOURNMENT

Motion by Vice Chair Jester and seconded by Mr. Lewis to adjourn the meeting. The motion carried by a unanimous vote. The meeting was adjourned at 5:47 p.m.

DRAFT

DeKalb County Board of Registration and Elections

Special Called Meeting Minutes

June 3, 2022

*via zoom platform

Start Time: 5:00 p.m.

End Time: 7:24 p.m.

Board Attendees: Chair Dele Lowman Smith
Vice-Chair Nancy Jester
Anthony Lewis
Susan Motter
Karli Swift

Other Attendees: Keisha Smith, Executive Director
Terry Phillips, Deputy County Attorney
Shelley Momo, Senior Assistant County Attorney
Irene Vander Els, Assistant County Attorney
Tristen Waite, Assistant County Attorney

APPROVAL OF AGENDA

Chair Lowman Smith called the meeting to order at 5:00 p.m. Ms. Austin read the roll by calling each board member by name. All members were in attendance.

Motion by Ms. Swift and seconded by Vice-Chair Jester to approve the agenda. The motion carried by a unanimous vote.

PUBLIC COMMENTS

Ms. Austin read the rules for public comment:

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The following citizens provided public comment:

- Marci McCarthy
- Garland Favorito
- Jenine Milum
- Diane Adoma
- Susana Sandoval
- Don Broussard

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- Andrew Bell
- Stephen Binney
- Lance Hammonds
- Marshall Orson
- Marilyn Marks
- Jeanne Seaver

ITEMS FOR DECISION

A) Certification of the May 24, 2022 General Primary and Nonpartisan General Election

Motion by Ms. Motter and seconded by Ms. Swift to certify the results.

Director Smith made a statement. A technical error in the Commission District 2 race was quickly discovered after the May 24 election. The first course of action had been to take a comprehensive look at the cause of the error and determine the proper course forward to ensure each vote cast was reflected correctly. She acknowledged that the resulting hand tabulation had changed the outcome of the race from that reported in the initial machine count. However, she assured everyone concerned that the ballots had been accurately tabulated. She described the methods used to perform the hand count and verify its accuracy, as well as the accuracy of the remaining races.

Ms. Motter regretted the unfortunate situation for everyone involved, made more difficult by SB 202, which required certification to be done a week earlier than previously. She had spent a great deal of time in the office over the last week and had spoken with Michael Barnes from the Center for Election Services. She stated that she was satisfied with the hand count of the District 2 Primary and the machine tabulation of the other races.

Going forward, she assured the public that the Board would continue its efforts to enhance procedures, both in the Department and at the State.

Ms. Swift commented that she, too, had been frustrated by this complex situation that the County did not create. It was imperative to look forward to the runoff in order to allow the candidates to prepare. She asked Director Smith to elaborate on the audits performed.

Director Smith responded that spot checks of the ballot images had been performed, confirming that the image of the ballot itself matched the results recorded by the scanner. The sample size was enough to guarantee a 98% chance of catching a 2% error in any of the checked races. The county Finance Department had also audited the batch sheets from the hand count. The final tally reflected 99.7% of the known votes.

Vice-Chair Jester asked if the vote totals were consistent between the various counts. Director Smith responded that it was necessary to be careful in adding up the totals due to the complexity of the election, but that the vote totals were consistent.

The Vice-Chair asked for the status of an Open Records Request for the ballot images. The Director responded that the ballot images had been downloaded and would be sent next week.

The Vice-Chair requested the results of the Logic and Accuracy tests. She commented that the State's L&A requirements may not be sufficient and recommended more robust testing on a voluntary basis.

The Vice-Chair asked Mr. Phillips to confirm that a request from a candidate for a recount of the Commission District 3 Primary had been denied by the court. He replied that it had.

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The Vice-Chair asked if anything in the audit had indicated problems in any of the other races. The Director responded that it had not.

The Vice-Chair asked for confirmation that if new information did arise, it would be possible to recertify the primary. Mr. Phillips confirmed it. The Vice-Chair also pointed out that there could be criminal ramifications if the Board refused to certify an election.

The Vice-Chair asked about the ballots used to test the machines prior to the attempted machine recount. The Director responded that the test decks conformed to SEB regulations.

The Vice-Chair asked for a copy of the ballot software logs from each machine.

The Vice-Chair praised the Board and the Department for its handling of the situation and stated that she was optimistic about the hand count. She still had questions about the processes and controls involved in elections throughout the state and promised to remain involved in pursuing improvements and, if necessary, recertification.

Mr. Lewis asked if the machines with District 2 errors had counted the votes correctly in the other races. Director Smith responded that they had. Mr. Lewis requested to see the audit data supporting that conclusion.

Mr. Lewis asked how additional recounts would affect the Department logistically. The Director responded that the resources required for the hand count had been significant. It would be difficult to continue in that way while also preparing for the runoff.

Mr. Lewis asked if it would be possible to retest the machines themselves in public. The Director responded that it would.

Mr. Lewis stated that he wished he could have seen the audit paperwork before the meeting and requested that it be publicized.

Chair Lowman Smith thanked Director Smith for the information she had provided. She restated for the record that the irregularities were related to programming changes made to the Commission District 2 Democratic Primary. Follow-up reviews had given the Department confidence that the errors were confined to that race. The reviews were part of the staff's standard procedure and did not need to be noticed.

She also commented on the compressed timeline faced by the staff brought on by SB 202. The extra days allowed by the delay in certification had allowed the staff to perform many of the checks they had performed. She emphasized that a margin of error could be expected in any hand count and that the District 2 count had fallen well within that target. She regretted that inaccurate numbers had been circulated by members of the public that had given some the opposite impression.

She also acknowledged that staff was very limited. The Department wanted to be responsive to requests from the public, but there were very few available who could. She also drew attention to SB 202's requirement that the State create a pilot program for sharing ballot images, which unfortunately is not available yet, leading to difficulty in fulfilling requests for thousands of ballot images.

Ms. Swift asked when the pending Open Records Requests could be fulfilled. Mr. Phillips responded that initial contact would be made within three days, but the time to produce documents would depend on the complexity of the request.

Ms. Swift asked if the Board had ever voted to recertify an election. Chair Lowman Smith responded it had.

Ms. Swift attempted to clarify for the public that there had not been a large change in the number of ballots counted between the initial machine count and the hand count. The number of ballots cast remained consistent within the expected margin of error. The votes had changed because the votes in the first count were known to be incorrect. There was no indication of fraud. She promised to continue working to ensure accurate results.

Vice-Chair Jester requested to see the correspondence sent to the citizens requesting ballot images. She also asked about the difference between the preliminary and final hand counts. The Director responded that the final hand count included corrections to the preliminary count.

Motion by Ms. Motter to amend the existing motion to certify the primary but also deny all requested recounts received by 5 p.m. today. The motion was seconded by Ms. Swift.

The Vice-Chair asked a series of questions about the recount requests. Mr. Phillips responded that there had been too large a number to list at that moment. Some requests had come from candidates and some from other sources. The rule states that the Board could grant a recount from a candidate or political party but was not required to do so.

The motion to certify the Primary Election carried by a vote of 4-1, with Mr. Lewis voting Nay.

B) Advance Voting Locations for the June 21, 2022 Runoff

Director Smith provided an update on the advance voting sites. Bessie Branham had withdrawn from the election. The new list of sites was as follows:

Dunwoody Library
North DeKalb Senior Center
Briarwood Recreation Center
Tucker Library
Emory University
Memorial Drive (Two sites)
Berean Christian Church
South DeKalb Mall
Stonecrest Library

She also requested to change the dates to June 13 – June 17. The later date was necessary because the delay in certifying the candidates for the runoff would lead to a delay in testing the equipment for early voting.

Ms. Swift asked if the office would conduct additional testing with the additional time. The Director responded that the additional time was required to finish the normal testing.

Motion by Ms. Motter to approve the proposed changes to locations and dates for advance voting. The motion was seconded by Vice-Chair Jester. The motion carried unanimously.

ITEMS FOR DISCUSSION

A) Emergency Polling Place Changes

The Director alerted the Board that the locations for the Clarkston Community Center, Coan Recreation Center, and Tucker precincts had dropped out of the election and would need to be changed as soon as replacements could be found. The voters affected would be notified.

Chair Lowman Smith asked about the precinct cards. The Director responded that the cards had arrived and would be mailed as soon as possible.

BOARD COMMENTS

Ms. Swift commented that the situation was one that no one wanted to be in. She was frustrated by circumstances that had arisen outside of the Department's control but needed to be thoughtful about the need to continue forward to the runoff. She was satisfied with the reconciliation of the hand count and the ballot image checks of the machine count. She promised to continue working to make sure the situation did not arise again. She thanked the community for their fair questions but asked them to keep in mind that every member of the Board was working on their behalf. She thanked the Director, the staff, and the Board.

Mr. Lewis thanked the staff. He said that no matter who he spoke to, they were always forthright and candid with him. He trusted their integrity and their knowledge of election law. He also thanked the volunteer poll watchers and ballot adjudication and duplication teams. Finally, he thanked the candidates who had raised awareness of issues that needed to be corrected.

He commented that this was one of the first times in Georgia that the boundaries of election law had needed to be pushed in order to ensure an accurate result, and he assured the public that everyone involved would continue to investigate the questions that had been raised. He wanted the public to know that there were people working on their behalf and who would continue to listen to them.

Ms. Motter described the efforts over the last several days as extraordinary and herculean. She praised Director Smith's handling of the situation, as well as the staff, the temporary workers, and all the others involved. She also thanked the members of the Vote Review Panel.

She wanted the public to know that the Board understood that there were issues and that they would work to have procedures in place to correct them.

She thanked the attorneys for their advice, integrity, and patience. She also thanked Chair Lowman Smith for her leadership.

Vice-Chair Jester wanted the public to know that if any further information arose other than what had been certified today, the Board would follow up on it. She demanded more robust Logic and Accuracy testing and improvements to the notifications.

She was very interested in the ballot development process and hoped to be able to communicate more granular information about it to the public in the future.

She thanked the candidates for their courage in putting their name on the ballot.

Director Lowman Smith thanked the staff, poll workers, partners, and volunteers who had done incredible work on pulling off the election. The Board's philosophy was to consider the community as their partners. She thanked community members who had brought issues to the Department's attention and promised to continue to work to administer elections with integrity, accuracy, and excellence.

Click here to view BRE meetings: [Video On Demand | DeKalb County, GA \(dekalbcountyga.gov\)](#)

She asked the public to be thoughtful about the information put out as fact. There was a great deal of information based on incorrect numbers or interpretations of numbers. She urged members of the public to reach out to the staff with questions or concerns to make sure there was clarity.

ADJOURNMENT

Motion by Vice Chair Jester and seconded by Mr. Lewis to adjourn the meeting. The motion carried by a unanimous vote. The meeting was adjourned at 7:24 p.m.

DRAFT

DeKalb County Board of Registration and Elections

Special Called Meeting Minutes

June 10, 2022

*via zoom platform

Start Time: 10:00 a.m.

End Time: 10:23 a.m.

Board Attendees: Chair Dele Lowman Smith
Vice-Chair Nancy Jester
Anthony Lewis
Susan Motter
Karli Swift

Other Attendees: Keisha Smith, Executive Director
Terry Phillips, Deputy County Attorney
Shelley Momo, Senior Assistant County Attorney
Irene Vander Els, Assistant County Attorney
Tristen Waite, Assistant County Attorney

APPROVAL OF AGENDA

Chair Lowman Smith called the meeting to order at 10:00 a.m. She read the roll by calling each board member by name. All members were in attendance.

Motion by Ms. Motter and seconded by Vice-Chair Jester to approve the agenda. The Motion carried by a unanimous vote.

PUBLIC COMMENTS

Ms. Austin read the rules for public comment:

Public comments of two minutes or less may be made live via the teleconference. For those joining the meeting by telephone, please be aware that your phone number may be displayed to the public viewing or participating in the online meeting. Citizens who attend the meeting via the Zoom link above may join the public comment queue by raising their hand in the Zoom application, while citizens who attend the meeting via telephone may join the comment queue by pressing # followed by 2. There will be no comment cards, so when you are called upon, please state your name for the record. Also, please be conscious of speaking time so that everyone has an opportunity to provide input in the allotted time. Abusive, profane, or derogatory language will not be permitted.

The following citizens provided public comment:

- Marci McCarthy
- Collette Frix

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ITEMS FOR DECISION

A) Emergency Polling Place Changes

Director Smith proposed the following temporary locations for three precincts that needed to be changed.

Clarkston Community Center: Clarkston Library
Coan Recreation Center: Israel Missionary Baptist Church
Tucker: Tucker High School

Ms. Motter stated for the record that the legal organ for notification was the Stone Mountain Champion. She asked about other notifications to affected voters. The Director responded that there would be notices at the former sites, letters to the voters, and notices on the website.

Erik Burton stated that there would also be a press release, social media, and posts to the stakeholder list.

Ms. Swift asked if radio spots could be added. Mr. Burton said he would have to check the budget. Ms. Swift asked him to think about reminding voters that the sites will likely move back to their original locations for November.

Motion by Vice-Chair Jester and seconded by Ms. Swift to approve the temporary polling places. The motion passed unanimously.

B) Advance Voting Locations

Director Smith proposed the addition of Neighborhood Church to the list of advance voting sites.

Ms. Swift commented that she had requested the addition of a location serving the City of Atlanta after the withdrawal of Bessie Branham Recreation Center.

Motion by Ms. Swift and seconded by Ms. Motter to approve Neighborhood Church. The motion carried unanimously.

EXECUTIVE SESSION

Motion by Ms. Swift and seconded by Vice-Chair Jester to enter executive session for the purpose of discussing litigation. The motion carried unanimously.

Motion by Vice-Chair Jester and seconded by Ms. Swift to resume the regular meeting. There were no actions taken during executive session.

BOARD COMMENTS

Ms. Motter thanked Mr. Matelski and Ms. Lewis for facilitating the board meetings on short notice.

Mr. Lewis reminded members of the public that Logic and Accuracy testing for the runoff had begun and invited them to observe.

Chair Lowman Smith echoed the acknowledgement of their trusted and committed supporters in holding their meetings.

In response to an earlier comment, she announced that an explanation of the District 2 vote totals was being written that would be accessible to a lay audience. There were no extra votes found in the hand count.

Click here to view BRE meetings: [Video On Demand | DeKalb County, GA \(dekalbcountyga.gov\)](#)

ADJOURNMENT

Motion by Vice Chair Jester and seconded by Ms. Motter to adjourn the meeting. The motion carried by a unanimous vote. The meeting was adjourned at 10:23 a.m.

DRAFT

Election Summary Report

Closed Primary

DeKalb

June 21, 2022

Summary for: All Contests, All Districts, All Tabulators, All Counting Groups
Official and Complete

Precincts Reported: 191 of 191 (100.00%)

Registered Voters: 45,743 of 501,034 (9.13%)

Ballots Cast: 45,743

Lieutenant Governor - Dem (Vote for 1)

DEM

Precincts Reported: 191 of 191 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total		
Times Cast	26,883	14,321	3,586	27	44,817 / 501,034	8.94%	
Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Charlie Bailey		18,556	9,430	2,515	18	30,519	68.73%
Kwanza Hall		8,027	4,800	1,048	9	13,884	31.27%
Total Votes		26,583	14,230	3,563	27	44,403	
	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total		
Unresolved Write-In	0	0	0	0	0		

Secretary of State - Dem (Vote for 1)

DEM

Precincts Reported: 191 of 191 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total		
Times Cast	26,883	14,321	3,586	27	44,817 / 501,034	8.94%	
Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Dee Dawkins-Haigler		4,336	1,954	377	5	6,672	14.98%
Bee Nguyen		22,376	12,297	3,187	22	37,882	85.02%
Total Votes		26,712	14,251	3,564	27	44,554	
	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total		
Unresolved Write-In	0	0	0	0	0		

Commissioner of Insurance - Dem (Vote for 1)**DEM**

Precincts Reported: 191 of 191 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	26,883	14,321	3,586	27	44,817 / 501,034	8.94%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Raphael Baker		8,587	4,399	870	10	13,866	32.96%
Janice Laws Robinson		16,430	9,278	2,483	16	28,207	67.04%
Total Votes		25,017	13,677	3,353	26	42,073	

	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In	0	0	0	0	0	

Commissioner of Labor - Dem (Vote for 1)**DEM**

Precincts Reported: 191 of 191 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	26,883	14,321	3,586	27	44,817 / 501,034	8.94%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
William "Will" Boddie, Jr.		15,397	8,931	2,386	13	26,727	61.87%
Nicole Horn		10,336	5,035	1,085	14	16,470	38.13%
Total Votes		25,733	13,966	3,471	27	43,197	

	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In	0	0	0	0	0	

State House of Representatives - District 86 - Dem (Vote for 1)**DEM**

Precincts Reported: 16 of 16 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	1,897	1,048	222	8	3,175 / 37,404	8.49%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Jacqueline Adams		638	434	90	0	1,162	37.44%
Imani Barnes		1,228	589	119	6	1,942	62.56%
Total Votes		1,866	1,023	209	6	3,104	

	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In	0	0	0	0	0	

State House of Representatives - District 90 - Dem (Vote for 1) DEM

Precincts Reported: 17 of 17 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	3,922	2,149	425	2	6,498 / 46,170	14.07%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Saira Draper		2,077	1,189	204	0	3,470	54.30%
Michelle Schreiner		1,779	928	212	2	2,921	45.70%
Total Votes		3,856	2,117	416	2	6,391	

	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In	0	0	0	0	0	

County Commissioner D2 - Dem (Vote for 1) DEM

Precincts Reported: 40 of 40 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	6,060	2,398	850	9	9,317 / 98,538	9.46%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Lauren Alexander		2,257	860	304	4	3,425	38.92%
Michelle Long Spears		3,434	1,439	497	5	5,375	61.08%
Total Votes		5,691	2,299	801	9	8,800	

	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In	0	0	0	0	0	

Board of Education D2 (Vote for 1)

Precincts Reported: 28 of 28 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	4,003	1,608	571	1	6,183 / 60,827	10.16%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Whitney Mcginniss		2,038	886	329	0	3,253	57.42%
Candice D. McKinley		1,597	625	190	0	2,412	42.58%
Total Votes		3,635	1,511	519	0	5,665	

	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In	0	0	0	0	0	

Board of Education D6 (Vote for 1)

Precincts Reported: 25 of 25 (100.00%)

	Election Day	Advanced Vot	Absentee by	Provisional	Total	
Times Cast	3,492	1,925	519	3	5,939 / 69,114	8.59%

Candidate	Party	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Dijon "Twin" DaCosta (I)		1,852	1,089	286	0	3,227	55.80%
Janet Hughes		1,555	787	213	1	2,556	44.20%
Total Votes		3,407	1,876	499	1	5,783	

	Election Day	Advanced Voting	Absentee by Mail	Provisional	Total	
Unresolved Write-In	0	0	0	0	0	

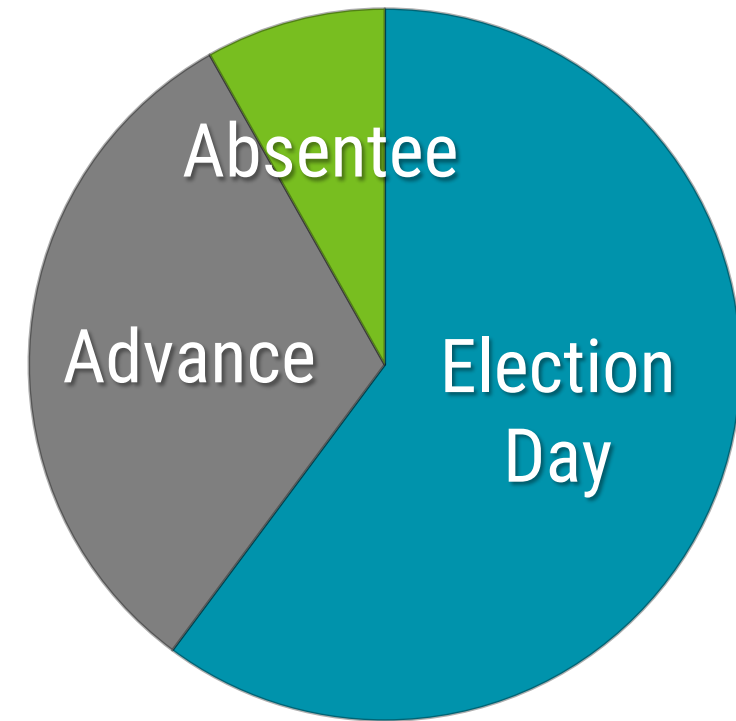
POST-ELECTION REPORT

June 21, 2022 General Primary Runoff
DeKalb County Voter Registration & Elections

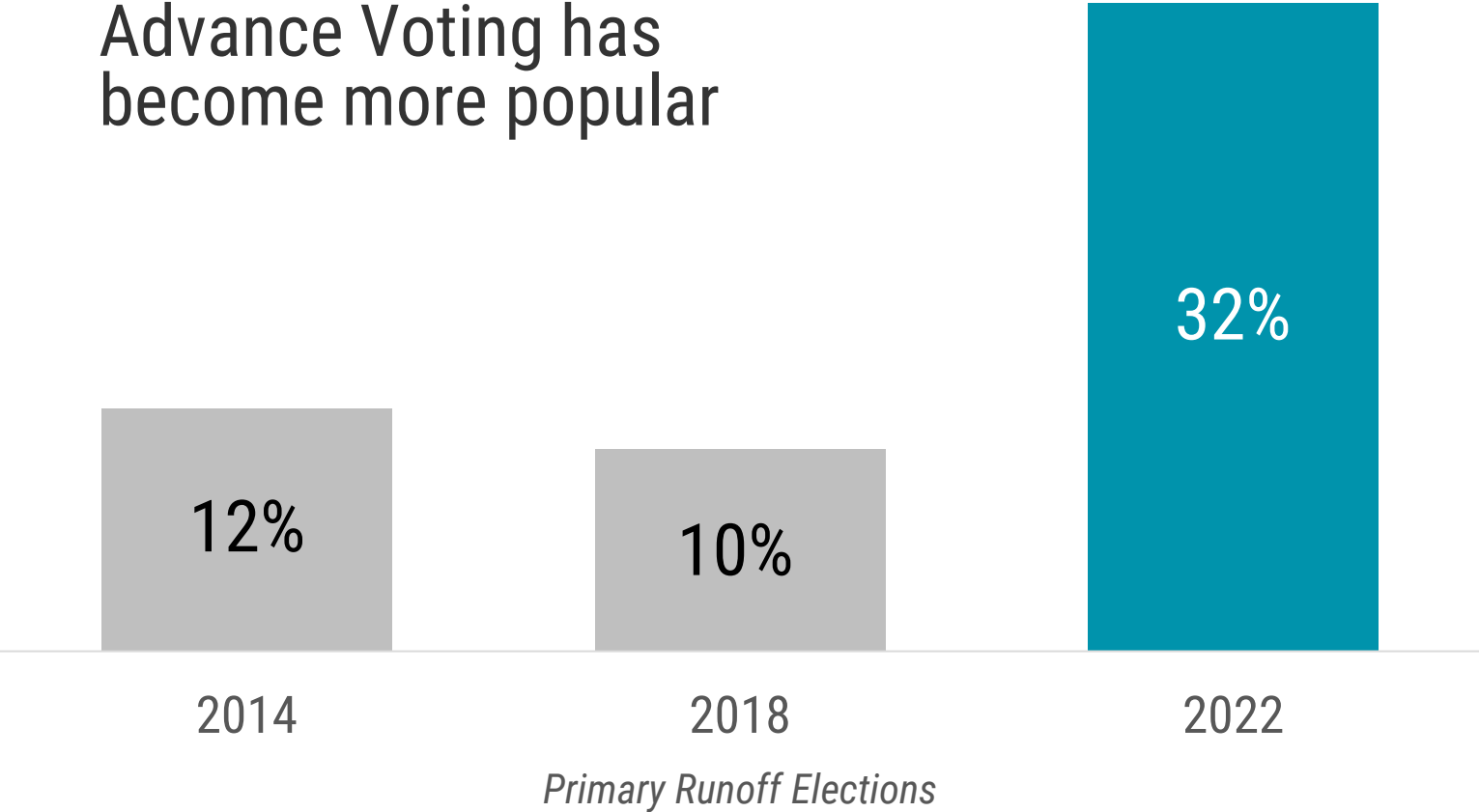
Additions	18,928
New Registrations	10,088
Transferred In	8,840
Registration Changes	61,690
Deletions	24,332
Cancelled	15,538
Transferred Out	8,794

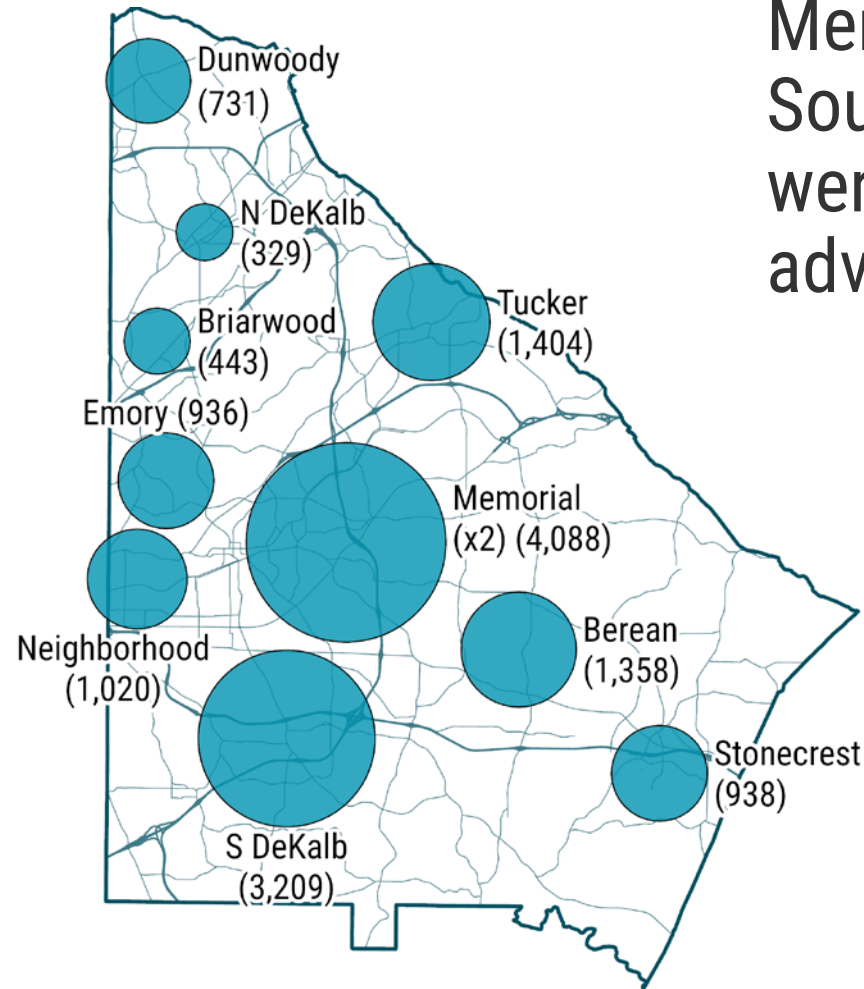
Year to date

Registered Voters	501,034	(Active)
Ballots Cast	45,743	
Overall Turnout	9.1%	
<hr/>		
Election Day	27,493	60.1%
Advance Voting	14,456	31.6%
Absentee by Mail	3,767	8.2%
Provisional	27	0.1%
Total	45,743	100.0%



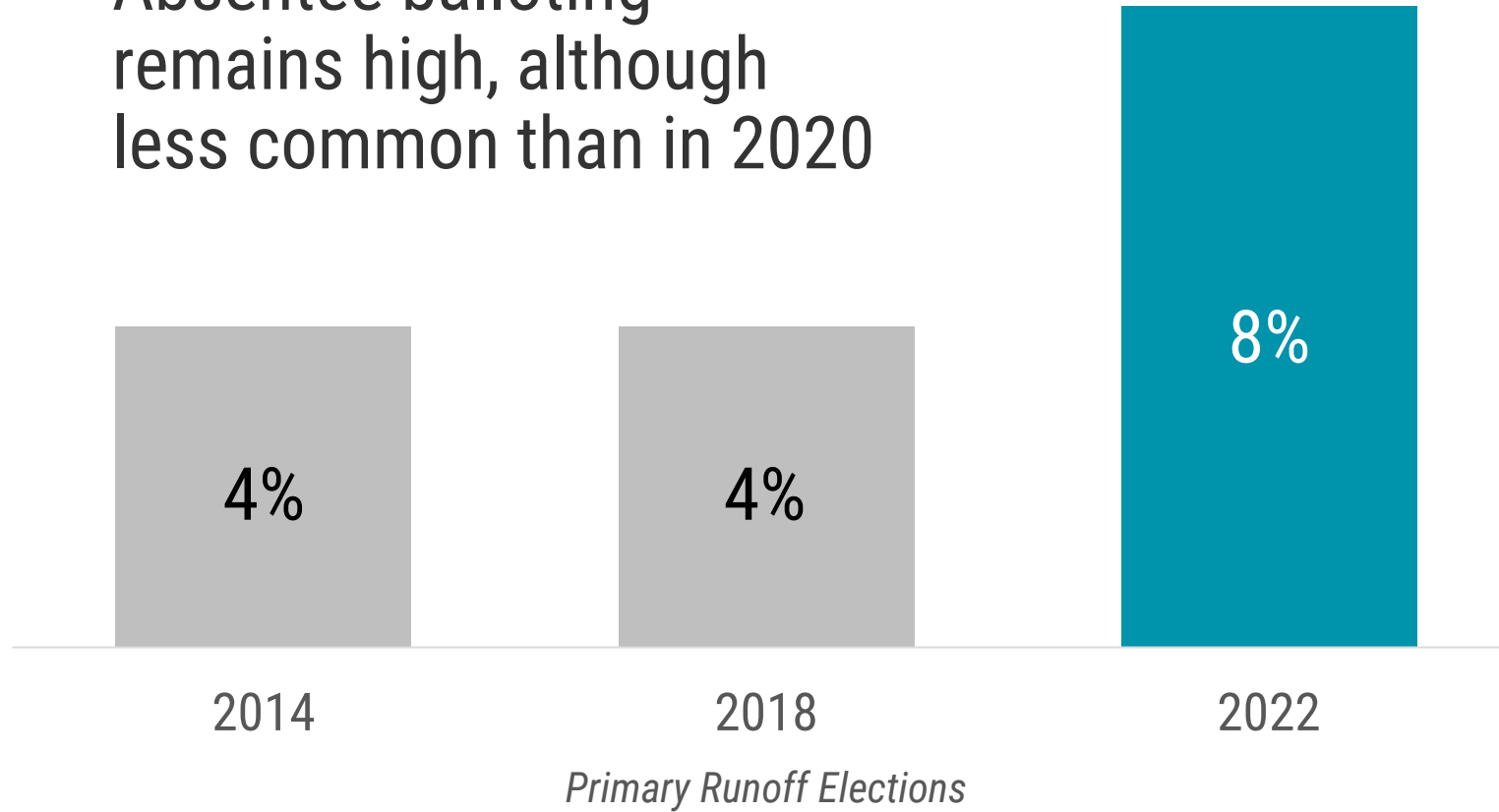
Advance Voting has
become more popular





Memorial Drive and
South DeKalb Mall
were the most popular
advance voting sites

Absentee balloting
remains high, although
less common than in 2020



Ballots Accepted	3,767
Domestic	3,741
UOCAVA	26
Rejected Uncured	141
Total Received	3,908

Provisional Ballots

Invalid Signature	3
<hr/>	
Total	3

Provisional Cured 2

Rejected Ballots

Incorrect ID	1
Invalid Signature	7
Missing ID	8
Missing Signature	11
Ineligible Elector	1
After Deadline	122
<hr/>	
Total	150

Rejected Cured 9

Precincts	191
Polling Places	176
Poll Officers Trained*	1,462
Equipment Tested & Deployed	
Poll Pads	352
Touchscreens	1,707
Scanners	176

*As of June 13

	Accepted	Rejected	Total
Registration In Question	0	1	1
Missing Identification	1	0	1
Out of Precinct	19	4	23
Other	7	1	8
<hr/> Total	27	6	33