



## BOARD OF REGISTRATION AND ELECTIONS UNAPPROVED MINUTES

### SPECIAL MEETING – March 14, 2022

The Fulton County Board of Registration and Elections met in Special Called Session on Thursday, March 24, 2022 at 8:30 a.m.

**Please join the meeting from your computer, tablet or smartphone.**

**FGTV YouTube Channel**

<https://www.youtube.com/c/FultonGovernmentTV>

**Presiding:** Cathy Woolard, Chairwoman

**Other Board Members Present:**

Mrs. Teresa Crawford

Dr. Kathleen Ruth

**Staff Attending:** Ms. Jessica M. Robinson, Board Secretary; Ms. Krystal Haynes, Administrative Coordinator I; Ms. Regina Waller, Public Affairs Manager

**Guests Attending:**

#### #1– APPROVAL OF AGENDA

Chairwoman Ruth entertained a motion to add the interim director discussion to item number 3 of the agenda. The motion was made by Dr. Ruth, seconded by Ms. Crawford, and carried by a unanimous vote of 3-0.

Chairwoman Woolard entertained a motion to approve the agenda. The motion was made by Ms. Crawford, seconded by Dr. Ruth, and carried by a unanimous vote of 3-0.

### SPECIAL CALLED SESSION

#### #2– RESIDENCY CHALLENGE

Ms. Marshall stated that a challenge was presented on March 4<sup>th</sup> by Mr. Jason Frazier. The first category was a list of names of people currently registered at businesses addresses. The recommendation is to place the voters in inactive status, giving them 30 days to respond with an address change before placing them in cancel hearing status. Voters are to be placed in inactive status because the voters are actively voting and have voted in the most recent elections. The voter registration team will mail a notice letter to update their

information as well as the information pertaining to the Boards' decision. The 30 days will be in accordance with the Secretary of State's list maintenance process.

Ms. Woolard asked what the difference between the 30-day and 40-day windows were.

Ms. Marshall stated that the 30-day window is for the public, and the 40-day window is internal. The process is to send out notice and the voters have 30 days to respond. Internally the team knows that they have a 40-day clock. It's the same process the Secretary of State uses.

Ms. Woolard asked if the notification could include the last day to register to vote is.

Ms. Marshall stated that she would include that information as well as send the Board members a copy of the letter via email.

Ms. Woolard asked once the voters are placed in canceled hearing status after the 30 days but cannot be removed until after the federal elections.

Ms. Marshall stated that the department cannot make any additional removal prior to the federal election by law. The current decision would be to place them in inactive status and after the window, they will be in canceled hearing status although they won't be able to be removed because the law states that a voter cannot be removed from the rolls prior to a federal election.

Ms. Woolard asked what happens if a voter doesn't respond but goes to vote.

Ms. Marshall stated that they will be able to vote. Voters in inactive status are eligible to vote. Once a voter goes in to vote, they will be placed back into active status.

Ms. Woolard asked if they would still have the incorrect address.

Ms. Marshall stated yes but that the team could put a note on the record that the voter must update their address. The voter will need to fill out a voter registration application to update their address. Ms. Marshall stated that the addresses were verified as business addresses. The voter registration division did conduct a list maintenance at the beginning of the year, it is not clear as to how the list provided was missed.

Dr. Ruth asked if the vote would be on a provisional ballot.

Ms. Marshall stated that if the voters are placed in inactive status, the vote would not be provisional, the voter would be asked to update their address and allowed to vote as normal. If the board chooses to place them in canceled hearing status, the vote would then be provisional.

Ms. Crawford asked for the seven names.

Ms. Woolard asked where the names were located within the packet.

Ms. Marshall stated that she placed the voters in order of the most recent voting date. The voters that haven't voted since 2012/2016 is up to the board. The voters that voted in the last

two elections, it's recommended to place them in inactive status and give them an opportunity to update their addresses.

Ms. Woolard asked about the next category.

Ms. Marshall stated that Mr. Frazier submitted 24 names for deceased voters. Ms. Marshall removed one voter because they were already in canceled – deceased status. With the remaining 23 voters, the recommendation is to place them in canceled – deceased status because the obituaries were provided and verified.

Ms. Woolard asked if the voters from the list could be removed immediately.

Ms. Marshall stated that they could be removed immediately because the death of a registrant is not subject to the 90-day limitation.

Ms. Woolard asked if any of the deceased voters had voted since their deceased date.

Ms. Marshall stated no.

Dr. Ruth asked Ms. Marshall to read the law concerning the removal of the voters from the voter rolls.

Ms. Marshall read the law, verbatim, regarding voter list maintenance, OCGA 21-2-228(a).

Dr. Ruth stated that the reading is helpful with explaining to listeners and voters to know the limitation of removing people within the 90-day window and when they can be removed immediately.

Ms. Woolard asked Ms. Marshall to move forward with the next category of names.

Ms. Marshall stated that Mr. Frazier submitted a list of four names. The list was four names but only consisted of two people. The names submitted were not part of the challenge as they are duplicate registrations. Duplicate registrations occur when a data transcriber inputs an error. The department conducted a data merge to show the correct data once the records were verified as the same voter and the names were removed from the challenge.

Ms. Crawford asked how often the merging of the list occurred.

Ms. Marshall stated that list maintenance is conducted on a monthly basis. The list is received for the Secretary of State's office directly into the eNet dashboard and the names are processed. The newest request is to ask the state to ensure that there are no limitations on merging duplicate applications. From Ms. Marshall's years of experience, the voter registration department has never stopped processing applications. The department has received another list of 12 thousand names. The names received are not a challenge, the list is of records that have been created in error. The department will verify and merge the names to keep down the possibility of double voting or any other issues that could arise.

Ms. Woolard asked for clarification of the names mentioned on the list and how duplicates happen.

Ms. Marshall stated that there isn't one specific answer that could pinpoint how the records are created in error. After the meetings, Ms. Marshall will send a message to the Secretary of State for clarification. The list is received on a monthly basis so every name won't be caught.

Ms. Woolard asked if the state normally processes the information prior to sending it to the department.

Ms. Marshall stated that the state sends the list via eNet monthly. When processing applications, there's a countywide search and a statewide search. The department requests the registration clerks to always select statewide search prior to countywide. The issue arises when a countywide search is conducted first. If the applicant isn't or hasn't been registered in the county, they will be entered as a new registrant. The department finds duplicates as well and will merge the registrations when they process the applications from third-party services. The department has revamped the training process and made it more in-depth to decrease the number of duplicates. The issues are simple data transcribing errors; one digit off on a person's birthday or one digit off on the social security number will create a new record. Another issue is found with paper applications, if handwriting isn't clear the mistakes can add up.

Ms. Woolard offered the floor to Mr. Frazier.

Mr. Frazier stated that each of the names of the 12 thousand submitted are duplicates with the exact same addresses and he's unsure how that happened but that he understands discrepancies with birthday input errors.

Ms. Marshall stated that addresses aren't looked at for duplicates but that duplicates happen due to a missed entry.

Mr. Frazier clarified that he used the addresses in order to determine if the name should be submitted. Mr. Frazier further explained how he developed the list including names, birthdays, and name misspellings.

Ms. Marshall stated that Mr. Frazier was referencing the names that were recently submitted not the names that are on the challenge.

Mr. Frazier asked what the timeframe would be to check for the updates to the names submitted for the challenge.

Ms. Marshall stated that if the board approves the recommendations that have been set forth. Mr. Frazier would be able to check for the updates as early as tomorrow [15 March 2022]. The department will follow up with the voters with what the board has decided and that if they believe the removal was done in error, they can fill out the accompanying application to reregister. The seven that are being placed in inactive status will be afforded the opportunity to change their address.

Mr. Frazier asked about the updates for the duplicates that were listed on the challenge, how is that process completed.

Ms. Marshall stated that the voter record will be merged to the oldest record available. The incorrect records did not have any voting history.

Mr. Frazier asked what happens if someone voted twice. Not evidenced in the current challenge but in case it happened with the new list.

Ms. Marshall stated an answer would be provided later.

Ms. Woolard stated that while that is a valid question, the focus should be on the current challenge.

Dr. Ruth asked what the law states concerning using a business address for a residence.

Ms. Marshall stated that if the business address is the same as their residential address, meaning there is a place of residency within the establishment, the registration would be valid. For the names listed on the challenge, the establishment is very clearly not a mixed-use property and therefore the registrants must provide an updated address.

Dr. Ruth asked no matter the names would still have to wait until the window expires before they can be removed.

Ms. Marshall stated that was correct.

**Chairwoman Woolard entertained a motion to accept the registrar's recommendation to place the seven voters with business addresses in inactive status. The motion was made by Ms. Crawford, seconded by Dr. Ruth, and carried by a vote of 3-0.**

**Chairwoman Woolard entertained a motion to remove the 23 deceased voters from the voter rolls. The motion was made by Dr. Ruth, seconded by Ms. Crawford, and carried by a vote of 3-0.**

### **#3- INTERIM DIRECTOR DISCUSSION**

Ms. Woolard stated that Mr. Barron would be leaving on 1 April 2022 and that the board is currently search for a new director. The process is to identify potential candidates, interview, select, and then submit to the Board of Commissioner before the director will be in place. The board does not know when or how long it will take to fill the position so an interim will be appointed.

**Chairwoman Woolard entertained a motion to appoint Nadine Williams as Interim Director. The motion was made by Ms. Crawford, seconded by Dr. Ruth, and carried by a vote of 3-0.**

<b>EXECUTIVE SESSION</b>
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**No Executive Session**

<b>ADJOURNMENT</b>
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**Chairwoman Woolard entertained a motion to adjourn. Ms. Crawford moved to adjourn the meeting. Dr. Ruth seconded the motion.** Collectively, the Board agreed to adjourn at 9:02am.

The meeting adjourned.

Prepared by,

Jessica M. Robinson, Board Secretary