

COBB COUNTY BOARD OF ELECTIONS AND REGISTRATION
January 14, 2019
BOARD MEETING MINUTES

736 Whitlock Avenue
4:00 p.m.

Board Members Present

Phil Daniell
Fred Aiken
Jessica Brooks
Darryl Wilson, Jr.
Joe Pettit

Board Members Absent

Others Present: Kitty Canupp, Jacquelyn Bettadapor, Pax Riddle, Monica Delancy, Luisa Wakeman, Becky Arrington, Janine Eveler, Beau Gunn, Brenda Jemison, Gerry Miller, and Pam Burel

Chairman Daniell called the meeting to order at 4:04 p.m.

Public Comment: Luisa Wakeman spoke regarding the Chattahoochee 01 precinct location. Becky Arrington spoke regarding voting locations and number of days for early voting.

Mr. Aiken moved to approve the following meeting minutes:

- December 10, 2018 Regular Meeting Minutes

Mr. Pettit SECONDED. APPROVED 5-0.

Director Eveler presented information regarding the different types of provisional ballots and the verification time period pursuant to O.C.G.A. § 21-2-419. A copy of the handouts are available as part of these minutes. No official action was taken by the Board.

The Chairman set the next regular meeting dates:

- February 11, 2019 4:00 p.m.

Mr. Pettit moved to adjourn the meeting at 5:01 p.m. Ms. Brooks SECONDED. APPROVED 5-0.

Types of Provisional/Challenged Ballots and Time Period for Verification

(PR) Person whose name does not appear on the electors list or whose eligibility is otherwise in question

NOTHING NEEDED FROM THE VOTER

O.C.G.A. §21-2-419(c)

- (1) If the registrars determine after the polls close, but **not later than three days** following the primary or election, that the person casting the provisional ballot was eligible and entitled to vote, the provisional ballot shall be counted and included in the certified election results. *(Original ballot is scanned)*
- (3) If the registrars determine that the person casting the provisional ballot did not timely register to vote or was not eligible or entitled to vote or shall be unable to determine **within three days** following such primary or election whether such person was entitled to vote in such primary or election, such ballot shall not be counted. *(Original ballot is rejected and stored unopened in evidence)*

(OP) Person is registered, but votes out of precinct

NOTHING NEEDED FROM THE VOTER

O.C.G.A. §21-2-419(c)

- (2) If the registrars determine after the polls close, but **not later than three days** following the primary or election, that the person voting the provisional ballot was eligible and entitled to vote but voted in the wrong precinct, then ... the superintendent shall count such person's votes which were cast in races for which the person was entitled to vote but shall not count votes cast in races in which such person was not entitled to vote. *(Original ballot is duplicated)*

Rule 183-1-12-.06

- (4) (d) If the registrars can immediately determine that the person should be assigned to a different precinct from the one at which the person is present, they shall direct the poll officers to send the person to the appropriate other precinct.However, if in the reasonable exercise of discretion by the registrars or the poll workers, there is insufficient time to go to such other precinct before the polls close, the poll workers may allow such person to vote a provisional ballot at the precinct in which the person is present.

(g) If the person appears at a precinct in a county in which the person does not reside, the registrars shall direct the person to contact the county in which the person resides to determine in which precinct such person should vote.

Types of Provisional/Challenged Ballots and Time Period for Verification

(EH) Hours extended by court order

NOTHING NEEDED FROM THE VOTER

O.C.G.A. §21-2-418(d)

In primaries and elections in which there is a federal candidate on the ballot, in the event that the time for closing the polls at a polling place or places is extended by court order, all electors who vote during such extended time period shall vote by provisional ballot only. *(Ballot is scanned as long as voter is otherwise eligible)*

(No Code) Emergency/Malfunction

NOTHING NEEDED FROM THE VOTER

O.C.G.A. §21-2-418 (h)

In the event that the voting machines or DRE units at a polling place malfunction and cannot be used to cast ballots or some other emergency situation exists which prevents the use of such equipment to cast votes, provisional ballots may be used by the electors to cast their ballots. In such event, the ballots cast by electors whose names appear on the electors list for such polling place shall not be considered provisional ballots and shall not require verification as provided by Code Section 21-2-419. *(Ballot is scanned as long as voter is otherwise eligible)*

(PI) Voter did not provide required identification while voting in-person

VOTER FOLLOW-UP REQUIRED

O.C.G.A. §21-2-417 (b)

If an elector is unable to produce any of the items of identification listed in subsection (a) of this Code section, he or she shall be allowed to vote a provisional ballot. **Such provisional ballot shall only be counted if the registrars are able to verify current and valid identification of the elector within the time period for verifying provisional ballots pursuant to Code Section 21-2-419.**

(IR) Voter registered first time by mail but did not provide required identification

VOTER FOLLOW-UP REQUIRED

O.C.G.A. §21-2-417 (c)

An elector who registered to vote by mail but did not present valid identification, either when registering to vote or when voting for the first time, may vote a provisional ballot. **Such provisional ballot shall only be counted if the registrars are able to verify current and valid identification of the elector as provided in this subsection within the time period for verifying provisional ballots pursuant to Code Section 21-2-419.**

Types of Provisional/Challenged Ballots and Time Period for Verification

O.C.G.A. §21-2-386

(a) (D) If an elector who registered to vote by mail, but did not present valid identification when registering, votes for the first time by absentee ballot and does not provide any of the forms of identification listed in this subparagraph with his or her application for an absentee ballot or with the absentee ballot, such absentee ballot shall be deemed to be a provisional ballot. **Such ballot shall only be counted if the registrars are able to verify current and valid identification of the elector as provided in this subparagraph within the time period for verifying provisional ballots pursuant to Code Section 21-2-419.**

Rule 183-1-12-.06

(5)(c) The provisional ballot shall not be counted unless the voter provides the identification required by O.C.G.A. 21-2-220 and 21-2-417 to the registrars **before the end of the period set by law for the verification of provisional ballots.** Such identification may be provided to the registrars in person or by facsimile transmission or, in the case of disabled voters, by delivery by a third party.

(X) Challenge due to unresolved citizenship issue
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VOTER FOLLOW-UP REQUIRED

O.C.G.A. §21-2-216 (g) (1)

On and after January 1, 2010, an application for registration under this chapter shall be accompanied by satisfactory evidence of United States citizenship. The board of registrars shall not determine the eligibility of the applicant until and unless satisfactory evidence of citizenship is supplied by the applicant.

By Injunctive order of Judge Ross, November 2, 2018:

At a polling location, the individual may provide proof of identity and acceptable proof of citizenship to a poll manager or a deputy registrar, and after verification, cast a regular ballot. If the applicant is unable to present one of the accepted forms of proof of citizenship at a polling location, then the applicant (a) may return to the polling location with sufficient proof of citizenship, or (b) shall be offered the opportunity to cast a provisional ballot. **If the applicant casts a provisional ballot, the applicant must then present proof of citizenship in person, or via fax, email or text message to the county registrar before the close of the provisional ballot period on the Friday following the election.**

Types of Provisional/Challenged Ballots and Time Period for Verification

(V) Challenge due to voter information not verified

VOTER FOLLOW-UP REQUIRED

O.C.G.A. §21-2-220.1(d)

- (1) If a completed voter registration application has been received by the registration deadline, but the Georgia driver's license number, identification card, or the last four digits of the social security number cannot be verified, the applicant shall be notified and must provide sufficient evidence to the board of registrars to verify the applicant's identity.
- (2) If the applicant provides such sufficient evidence on or before the date of a primary or election, and found eligible to vote, the applicant shall be added to the list of electors and shall be permitted to vote in the primary or election.
- (3) If the applicant has not provided such sufficient evidence or such number has not otherwise been verified, the applicant presenting himself or herself to vote shall be provided a provisional ballot. **The provisional ballot shall be counted only if such number is verified or if the applicant presents sufficient evidence to the board of registrars to verify the applicant's identity, by the end of the time period set forth in Code Section 21-2-419 (c).**

3-Day Time Period

Rule 183-1-12-.06

- (11) (d) **Not later than the close of business on the third business day following the day of the primary, election, or runoff**, the registrars shall return to the election superintendent the numbered list of provisional ballot voters reflecting the accepted and rejected provisional ballots.
- (12) Upon receiving the numbered list of provisional ballot electors from the registrars, the election superintendent shall prepare to count the accepted provisional ballots.



Provisional & Challenged Ballot Survey - November 6, 2018 - General/Special Election

Name: Beau Gunn

County: Cobb

Section 1: Provisional Ballots Cast - This section will ask you the total number of provisional ballots cast in the November General/Special Election

1. What was the total number of provisional ballots cast in the November General/Special Election for your county?

2286

Section 2: Provisional Ballots Cast - This section will ask you to break down the total number of provisional ballots cast by provisional ballot code

1. How many of the provisional ballots that were cast in the November General/Special Election were cast with reason code PI? 29
2. How many of the provisional ballots that were cast in the November General/Special Election were cast with reason code PR? 1595
3. How many of the provisional ballots that were cast in the November General/Special Election were cast with reason code IR? 2
4. How many of the provisional ballots that were cast in the November General/Special Election were cast with reason code EH? 0
5. How many of the provisional ballots that were cast in the November General/Special Election were cast with reason code OP? 620
6. How many of the provisional ballots that were cast in the November General/Special Election were cast with for any other reason? 40

Section 3: Provisional Ballots Accepted - This section will ask you the total number of provisional ballots accepted in the November General/Special Election

1. What was the total number of provisional ballots accepted in the November General/Special Election for your county?

1437





Section 4: Provisional Ballots Accepted - This section will ask you to break down the total number of provisional ballots accepted by provisional ballot code

1. How many of the provisional ballots that were accepted in the November General/Special Election were cast with reason code PI?
2. How many of the provisional ballots that were accepted in the November General/Special Election were cast with reason code PR?
3. How many of the provisional ballots that were accepted in the November General/Special Election were cast with reason code IR?
4. How many of the provisional ballots that were accepted in the November General/Special Election were cast with reason code EH?
5. How many of the provisional ballots that were accepted in the November General/Special Election were cast with reason code OP?
6. How many of the provisional ballots that were accepted in the November General/Special Election were cast with for any other reason?

Section 5: Challenge Ballots Cast - This section will ask you the total number of challenged ballots cast in the November General/Special Election

1. What was the total number of challenge ballots cast in the November General/Special Election for your county?

Section 6: Challenge Ballots Cast - This section will ask you to break down the total number of challenged ballots cast by challenge ballot code

1. How many of the challenged ballots that were cast in the November General/Special Election were cast with reason code V (Verify)?
2. How many of the challenged ballots that were cast in the November General/Special Election were cast with reason code X (Non-citizen)?
3. How many of the challenged ballots that were cast in the November General/Special Election were cast with any other reasons?



Section 7: Challenge Ballots Accepted - This section will ask you the total number of challenged ballots accepted in the November General/Special Election

1. What was the total number of challenged ballots were accepted in the November General/Special Election in your county?

Section 8: Challenge Ballots Accepted - This section will ask you to break down the total number of challenged ballots accepted by challenge ballot code

1. How many of the challenged ballots that were accepted in the November General/Special Election were accepted with reason code V (Verify)?

2. How many of the challenged ballots that were accepted in the November General/Special Election were accepted with reason code X (Non-citizen)?

3. How many of the challenged ballots that were accepted in the November General/Special Election were accepted with any other reasons?



Provisional & Challenged Ballot Survey - December 4, 2018 - General/Special Election Runoff

Name: Beau Gunn

County: Cobb

Section 1: Provisional Ballots Cast - This section will ask you the total number of provisional ballots cast in the December General/Special Election Runoff

1. What was the total number of provisional ballots cast in the December General/Special Election Runoff for your county?

251

Section 2: Provisional Ballots Cast - This section will ask you to break down the total number of provisional ballots cast by provisional ballot code

1. How many of the provisional ballots that were cast in the December General/Special Election Runoff were cast with reason code PI? 5
2. How many of the provisional ballots that were cast in the December General/Special Election Runoff were cast with reason code PR? 80
3. How many of the provisional ballots that were cast in the December General/Special Election Runoff were cast with reason code IR? 0
4. How many of the provisional ballots that were cast in the December General/Special Election Runoff were cast with reason code EH? 0
5. How many of the provisional ballots that were cast in the December General/Special Election Runoff were cast with reason code OP? 160
6. How many of the provisional ballots that were cast in the December General/Special Election Runoff were cast with for any other reason? 6

Section 3: Provisional Ballots Accepted - This section will ask you the total number of provisional ballots accepted in the December General/Special Election Runoff

1. What was the total number of provisional ballots accepted in the December General/Special Election Runoff for your county?

195





Section 4: Provisional Ballots Accepted - This section will ask you to break down the total number of provisional ballots accepted by provisional ballot code

1. How many of the provisional ballots that were accepted in the December General/Special Election Runoff were cast with reason code PI?
2. How many of the provisional ballots that were accepted in the December General/Special Election Runoff were cast with reason code PR?
3. How many of the provisional ballots that were accepted in the December General/Special Election Runoff were cast with reason code IR?
4. How many of the provisional ballots that were accepted in the December General/Special Election Runoff were cast with reason code EH?
5. How many of the provisional ballots that were accepted in the December General/Special Election Runoff were cast with reason code OP?
6. How many of the provisional ballots that were accepted in the December General/Special Election Runoff were cast with for any other reason?

Section 5: Challenge Ballots Cast - This section will ask you the total number of challenged ballots cast in the December General/Special Election Runoff

1. What was the total number of challenge ballots cast in the December General/Special Election Runoff for your county?

Section 6: Challenge Ballots Cast - This section will ask you to break down the total number of challenged ballots cast by challenge ballot code

1. How many of the challenged ballots that were cast in the December General/Special Election Runoff were cast with reason code V (Verify)?
2. How many of the challenged ballots that were cast in the December General/Special Election Runoff were cast with reason code X (Non-citizen)?
3. How many of the challenged ballots that were cast in the December General/Special Election Runoff were cast with any other reasons?



Section 7: Challenge Ballots Accepted - This section will ask you the total number of challenged ballots accepted in the December General/Special Election Runoff

1. What was the total number of challenged ballots were accepted in the December General/Special Election Runoff in your county?

1

Section 8: Challenge Ballots Accepted - This section will ask you to break down the total number of challenged ballots accepted by challenge ballot code

1. How many of the challenged ballots that were accepted in the December General/Special Election Runoff were accepted with reason code V (Verify)?

0

2. How many of the challenged ballots that were accepted in the December General/Special Election Runoff were accepted with reason code X (Non-citizen)?

1

3. How many of the challenged ballots that were accepted in the December General/Special Election Runoff were accepted with any other reasons?

0