

DATE: December 17, 2020

TO: County Election Official

SUBJ: **O.C.G.A. 21-2-230 ELECTOR CHALLENGE OF PERSONS ON LIST OF ELECTORS**

I AM A QUALIFIED ELECTOR OF COUNTY IN WHICH THIS CHALLENGE IS ISSUED. PURSUANT TO **GEORGIA CODE, TITLE 21 – ELECTIONS, CHAPTER 2 - ELECTIONS AND PRIMARIES GENERALLY, ARTICLE 6 - REGISTRATION OF VOTERS , § 21-2-230 - CHALLENGE OF PERSONS ON LIST OF ELECTORS BY OTHER ELECTORS; PROCEDURE; HEARING; RIGHT OF APPEAL**, HEREBY CHALLENGE THE RIGHT OF THE ELECTORS NAMED IN **EXHIBIT A** (PROVIDED EITHER IN HARD COPY OR ELECTRONICALLY) TO CAST THEIR VOTE IN THE JANUARY 5, 2021 GENERAL ELECTION RUNOFF FOR FEDERAL OFFICES. THIS CHALLENGE DEMONSTRATES PROBABLE CAUSE TO BELIEVE THE ELECTORS NAMED IN EXHIBIT 'A' NO LONGER RESIDE IN THE COUNTY IN WHICH THEY ARE CURRENTLY REGISTERED TO VOTE.

GROUNDINGS FOR THE CHALLENGE

More than 40 million Americans change their addresses annually and submit change of address (COA) orders to the U.S. Postal Service. The Postal Service provides COA information for a fee through National Change of Address Linkage (NCOALink), a service utilized by the Georgia Secretary of State's office.

The 1993 National Voter Registration Act (NVRA) specifically permits our Secretary of State to use national change of address (NCOA) information to identify registrants who may have changed residences. If the registrant appears to have moved to a residence outside of the registrar's jurisdiction, the NVRA further permits the use of NCOA information to prompt the removal of a registrant from the voter rolls after satisfying specified processes.

Consistent with the 1993 NVRA, Georgia Code § 21-2-233 expressly permits the Secretary of State to utilize "change of address information supplied by the United States Postal Service through its licensees periodically for the purpose of identifying those electors whose addresses have changed."

52 U.S. Code § 20507, subsection (b) *requires* Georgia "to protect the integrity of the electoral process by ensuring the maintenance of an accurate and current voter registration roll for elections for Federal Office." Subsection (a)(4)(b) states Georgia *shall* "conduct a general program that makes a reasonable effort to remove the names of ineligible voters from the official lists of eligible voters by reason of - (b) a change in the residence of the registrant, in accordance with subsections (b), (c), and (d)."

Records suggest no fewer than 17 months have passed since the Georgia Secretary of State's office initiated a comprehensive NCOA review of registered electors that could identify "a change in the residence of the registrant." In that time, no fewer than 180k registered Georgia voters have submitted Change-of-Address requests with the US Postal Service to permanently forward their mail to residential addresses *outside* of the Georgia county in which they are currently registered to vote. The electors named in **EXHIBIT A** have NCOA records with the US Postal Service indicating they have done the same.

Georgia Code governing elections requires that "If a person removes to another state with the intention of remaining there an indefinite time and making such state such person's place of residence, such person

shall be considered to have lost such person's residence in this state, notwithstanding that such person may intend to return at some indefinite future period." § 21-2-217 (a)(5)

Georgia Code further requires that "If a person removes to another county or municipality within this state with the intention of remaining there an indefinite time and making such other county or municipality such person's place of residence, such person shall be considered to have lost such person's residence in the former county or municipality, notwithstanding that such person may intend to return at some indefinite future period." (a)(6)

PROBABLE CAUSE TO CHALLENGE RESIDENCY / ELIGIBILITY

On November 25th, 2020, all 6.9 million ACTIVE electors contained within the most recently available Georgia Voter File were processed by qualified professionals against the US Postal Service's NCOA database. This process was performed uniformly across the entirety of Georgia's list of qualified electors without regard to political affiliation or prior voter history. Care was taken to identify and remove addresses for military personnel.

The results of NCOA processing identified the electors named in **EXHIBIT A** as having submitted a permanent Change of Address request with the US Postal Service that resulted in their mail being forwarded FROM the address used to establish eligibility to cast a ballot in this county TO a location outside of the county, or outside the state of Georgia. Accordingly, and in the interest of the integrity of our elections, I challenge the right of those named in **EXHIBIT A** to cast a vote in this county for the January 5, 2020 General Election for Federal Offices.

The elector's voter registration number, registered address, requested forwarding address, and the date elector requested forwarding to be effective, are provided in **EXHIBIT A**. Electronic copies in Xcel format of the challenged electors contained within **EXHIBIT A** is also available.

Submitted by Email.