

Georgia Republican Conservative Coalition

February 6, 2021

VIA – Electronic Email

The Honorable Brian P. Kemp
Lt. Governor Geoff Duncan
Secretary of State Brad Raffensperger
Attorney General Chris Carr
Honorable David Ralston
Georgia State House Republican Leaders and Members
Georgia State Senate Republican Leaders & Members
Chatham County Georgia Republican Delegation
206 Washington Street S.W.
Capitol Square
Atlanta, Georgia 30334

Re: Protecting Voter Integrity – Legislation & Resolutions

Dear Georgia Elected Officials:

We, the citizens of Chatham County, respectfully request your assistance in helping restore the faith of the voters here in Chatham County and millions of Georgians in our State. The 2020 elections have broken the trust that voters have in the election process and that trust needs to be regained through your efforts to bring election integrity back to Georgia for all Georgians.

- We support SB 67 – Absentee ballot application ID
 - Repeal the March 2020 Consent Decree. It changed the statutory requirement that the signature must match the signature on the voter registration card to simply matching the signature on the absentee ballot application. **See attached one (1)**
 - Need electronic alternative to verify signatures
 - signature comparison software is utilized, it should be set for a 95 percent effective rate
- We support SB 68 – Bans drop boxes
- We support SB 69 – Ends automatic voter registration
- We Support SB 70 – Prohibits new Georgia residents from voting in runoffs
- We support SB 71 – Requires an excuse to vote absentee
 - Eliminate No Excuse Absentee Ballots - revise current Law
 - Absentee ballots should be reserved to those individuals who are too disabled to vote in person or who will be out of town on Election Day and all Early Voting Days
 - Require that absentee ballots be received by the close of election day with exceptions made for military ballots when necessary
- We support SB 72 – Mandates monthly updates to election officials who have died

- We would like to add to this legislation - Require State to enter into agreements with other states to compare voter registration lists and Mandatory regular review & scrubbing of voter list (quarterly-deaths, moving out of state). Require every County Coroner to send list of deceased voters to the Georgia Secretary of State and County Chief Registrar to be purged from the data base monthly.
- We support SB 73 – Bans nonprofits from mailing ballot applications to voters
 - We do not support ballot harvesting
- We support SB 74 – Expands poll watcher access
- We support HB 227 – Requires voter ID for absentee ballot applications
- We support HB 228 - Driver's License or ID to clearly indicate that a Foreign National/non-citizen "Bearer Not a US Citizen" across the front of driver's license
- We support HB 267 – Requires first time voters do so in person if registered by mail
- We support HB 270 – Changes time periods for the mailing and issuance of absentee ballots
- We support HR 56 – GA Constitutional Amendment to clarify that only citizens of the United States who are residents of Georgia shall have a right to vote in elections in the State, that are at least 18 years of age and meet the minimum residency requirement
- We Strongly **OPPOSE HB 113** – Provides for same day registration and voting
- We strongly **OPPOSE SB 37** – Elect the President of the United States by National Popular Vote

Other legislation we would like to propose:

- Review State contract with Dominion and consider changes to current voting machine system. Place a ban on foreign-owned businesses selling vote-counting software to State and a ban on any foreign owned entities having custody of any State ballot data (no machine connections or transmissions to internet). **See attached two (2) on voting machine analysis.**
- Reject any effort to eliminate the Electoral College. Any state compact to manipulate or alter the Electoral College requires congressional assent. Such a compact should not be approved, and any constitutional amendment to scrap the Electoral College should be rejected.
- Legislation that states that Georgia is a 2nd Amendment Sanctuary State. No Federal Gun Registration is a requirement in Georgia.
- Counting Ballots:
 - Supervised ballot voting in nursing homes by Board of Election staff and have Party Observers Present.
 - Strengthen protections for observing both voting and vote tabulation, ALL vote counts must be observed by representatives from both parties
 - Require that ballot counting, once begun, continue until complete-no delays or pauses

Other local Board of Elections legislation in Chatham County:

- Consolidate the Board of Elections and the Board of Registrars
 - Chatham county is only one of two counties out of the other 159 counties in the State of Georgia that have a separate Board of Elections and Board of Registrars. This has been a complete failure and disaster over the past several elections and needs to be rectified immediately.
- Required to have background check on local candidates qualifying for office
- Mandate Law enforcement presence at ALL voting locations

Georgia Resolutions Requested:

- Resolution that the State of Georgia fully supports the Electoral College as prescribed and outlined in our Constitution
- Resolution declaring that Georgia is a 2nd Amendment Sanctuary State

Federal Legislation:

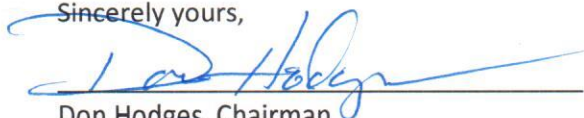
We reject H.R. 1 – Short Title – “For the People Act of 2021” in its current language. All applies in language stated above on the federal level <https://legiscan.com/US/text/HB1/2021>

Again, we the voters of Chatham County and millions statewide are very concerned with Georgia Voter Integrity and want voters’ rights protected by following safe and secure protocols according to the Georgia State Constitution, U.S. Constitution and Federal Election Laws for all legal voters.


Thank you all for your Public Service for all Georgians’. We know it is not an easy task to have us all agree, but voter integrity is a very important issue to us all. A reminder that this is not a Republican or Democrat issue, it is an obligation of all our elected officials to protect all Georgians’ voting rights and that every LEGAL vote is verified and counted according to our right to vote, the most enshrined right in the U.S. Constitution.

We look forward to hearing back from our leaders in regards to this letter.


Sincerely yours,




Don Hodges, Chairman
Chatham County Republican Party


Carl Smith, 1st Vice Chairman
Chatham County Republican Party


Marcia Smith – President
Savannah Area Republican Women






Jackson H. Sherrill – President
Skidaway Island Republican Club



Marilyn Overton – President
Ladies on the Right




James Burke – President
Tybee Island Republican Club

B. Adams Board Member


Conservative Women on a Mission

Carri Johnson – Chairman
Savannah Young Republicans




Jeanne Seaver – Founder & President
Stand Up, Lead or Shut Up, Inc.



Attachments

cc: Georgia U.S. Republican House of Representative Members & Georgia Republican Party

Attachment one (1)

COMPROMISE SETTLEMENT AGREEMENT AND RELEASE

This **Compromise Settlement Agreement and Release** (“Agreement”) is made and entered into by and between the Democratic Party of Georgia, Inc. (“DPG”), the DSCC, and the DCCC (collectively, the “Political Party Committees”), on one side, and Brad Raffensperger, Rebecca N. Sullivan, David J. Worley, Seth Harp, and Anh Le (collectively, “State Defendants”), on the other side. The parties to this Agreement may be referred to individually as a “Party” or collectively as the “Parties.” The Agreement will take effect when each and every Party has signed it, as of the date of the last signature (the “Effective Date”).

WHEREAS, in the lawsuit styled as *Democratic Party of Georgia, et al. v. Raffensperger, et al.*, Civil Action File No. 1:19-cv-5028-WMR (the “Lawsuit”), the Political Party Committees have asserted claims in their Amended Complaint [Doc. 30] that the State Defendants’ (i) absentee ballot signature matching procedure, (ii) notification process when an absentee ballot is rejected for any reason, and (iii) procedure for curing a rejected absentee ballot, violate the First and Fourteenth Amendments to the United States Constitution by unduly burdening the right to vote, subjecting similarly situated voters to disparate treatment, and failing to afford Georgia voters due process (the “Claims”), which the State Defendants deny;

WHEREAS, the State Defendants, in their capacity as members of the State Election Board, adopted on February 28, 2020 Rule 183-1-14-.13, which sets forth specific and standard notification procedures that all counties must follow after rejection of a timely mail-in absentee ballot;

WHEREAS, the State Defendants have a Motion to Dismiss [Doc. 45] pending before the Court, which sets forth various grounds for dismissal of the Amended Complaint, including mootness in light of the State Election Board’s promulgation subsequent to adoption on February 28, 2020 of Rule 183-1-14-.13, which Motion the Political Party Committees deny is meritorious;

WHEREAS, all Parties desire to compromise and settle all disputed issues and claims arising from the Lawsuit, finally and fully, without admission of liability, having agreed on the procedures and guidance set forth below with respect to the signature matching and absentee ballot rejection notification and cure procedures; and

WHEREAS, by entering into this Agreement, the Political Party Committees do not concede that the challenged laws and procedures are constitutional, and

similarly, the State Defendants do not concede that the challenged laws and procedures are unconstitutional.

NOW THEREFORE, for and in consideration of the promises and covenants contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties do hereby agree as follows:

1. **Dismissal.** Within five (5) business days of March 22, 2020, the effective date of the Prompt Notification of Absentee Ballot Rejection rule specified in paragraph 2(a), the Political Party Committees shall dismiss the Lawsuit with prejudice as to the State Defendants.

2. **Prompt Notification of Absentee Ballot Rejection.**

(a) The State Defendants, in their capacity as members of the State Election Board, agree to promulgate and enforce, in accordance with the Georgia Administrative Procedures Act and State Election Board policy, the following State Election Board Rule 183-1-14-.13 of the Georgia Rules and Regulations:

When a timely submitted absentee ballot is rejected, the board of registrars or absentee ballot clerk shall send the elector notice of such rejection and opportunity to cure, as provided by O.C.G.A. § 21-2-386, by mailing written notice, and attempt to notify the elector by telephone and email if a telephone number or email is on the elector's voter registration record, no later than the close of business on the third business day after receiving the absentee ballot. However, for any timely submitted absentee ballot that is rejected on or after the second Friday prior to Election Day, the board of registrars or absentee ballot clerk shall send the elector notice of such rejection and opportunity to cure, as provided by O.C.G.A. § 21-2-386, by mailing written notice, and attempt to notify the elector by telephone and email if a telephone number or email is on the elector's voter registration record, no later than close of business on the next business day.

Ga. R. & Reg. § 183-1-14-.13 Prompt Notification of Absentee Ballot Rejection

(b) Unless otherwise required by law, State Defendants agree that any amendments to Rule 183-1-14-.13 will be made in good faith in the spirit of ensuring that voters are notified of rejection of their absentee ballots with ample time to cure

their ballots. The Political Party Committees agree that the State Election Board's proposed amendment to Rule 183-1-14-.13 to use contact information on absentee ballot applications to notify the voter fits within that spirit.

3. Signature Match.

(a) Secretary of State Raffensperger, in his official capacity as Secretary of State, agrees to issue an Official Election Bulletin containing the following procedure applicable to the review of signatures on absentee ballot envelopes by county elections officials and to incorporate the procedure below in training materials regarding the review of absentee ballot signatures for county registrars:

County registrars and absentee ballot clerks are required, upon receipt of each mail-in absentee ballot, to compare the signature or mark of the elector on the mail-in absentee ballot envelope with the signatures or marks in eNet and on the application for the mail-in absentee ballot. If the signature does not appear to be valid, registrars and clerks are required to follow the procedure set forth in O.C.G.A. § 21-2-386(a)(1)(C). When reviewing an elector's signature on the mail-in absentee ballot envelope, the registrar or clerk must compare the signature on the mail-in absentee ballot envelope to each signature contained in such elector's voter registration record in eNet and the elector's signature on the application for the mail-in absentee ballot. If the registrar or absentee ballot clerk determines that the voter's signature on the mail-in absentee ballot envelope does not match any of the voter's signatures on file in eNet or on the absentee ballot application, the registrar or absentee ballot clerk must seek review from two other registrars, deputy registrars, or absentee ballot clerks. A mail-in absentee ballot shall not be rejected unless a majority of the registrars, deputy registrars, or absentee ballot clerks reviewing the signature agree that the signature does not match any of the voter's signatures on file in eNet or on the absentee ballot application. If a determination is made that the elector's signature on the mail-in absentee ballot envelope does not match any of the voter's signatures on file in eNet or on the absentee ballot application, the registrar or absentee ballot clerk shall write the names of the three elections officials who conducted the signature review across the face of the absentee ballot envelope, which shall be in addition to writing "Rejected" and the reason for the rejection as required under OCGA 21-2-386(a)(1)(C). Then, the registrar or absentee ballot clerk shall

commence the notification procedure set forth in O.C.G.A. § 21-2-386(a)(1)(C) and State Election Board Rule 183-1-14-.13.

(b) The Parties agree that the guidance in paragraph 3(a) shall be issued in advance of all statewide elections in 2020, including the March 24, 2020 Presidential Primary Elections and the November 3, 2020 General Election.

4. Consideration of Additional Guidance for Signature Matching. The State Defendants agree to consider in good faith providing county registrars and absentee ballot clerks with additional guidance and training materials to follow when comparing voters' signatures that will be drafted by the Political Party Committees' handwriting and signature review expert.

5. Attorneys' Fees and Expenses. The Parties to this Agreement shall bear their own attorney's fees and costs incurred in bringing or defending this action, and no party shall be considered to be a prevailing party for the purpose of any law, statute, or regulation providing for the award or recovery of attorney's fees and/or costs.

6. Release by The Political Party Committees. The Political Party Committees, on behalf of themselves and their successors, affiliates, and representatives, release and forever discharge the State Defendants, and each of their successors and representatives, from the prompt notification of absentee ballot rejection and signature match claims and causes of action, whether legal or equitable, in the Lawsuit.

7. No Admission of Liability. It is understood and agreed by the Parties that this Agreement is a compromise and is being executed to settle a dispute. Nothing contained herein may be construed as an admission of liability on the part of any of the Parties.

8. Authority to Bind; No Prior Assignment of Released Claims. The Parties represent and warrant that they have full authority to enter into this Agreement and bind themselves to its terms.

9. No Presumptions. The Parties acknowledge that they have had input into the drafting of this Agreement or, alternatively, have had an opportunity to have input into the drafting of this Agreement. The Parties agree that this Agreement is and shall be deemed jointly drafted and written by all Parties to it, and it shall be interpreted fairly, reasonably, and not more strongly against one Party than the other.

Accordingly, if a dispute arises about the meaning, construction, or interpretation of this Agreement, no presumption will apply to construe the language of this Agreement for or against any Party.

10. Knowing and Voluntary Agreement. Each Party to this Agreement acknowledges that it is entering into this Agreement voluntarily and of its own free will and accord, and seeks to be bound hereunder. The Parties further acknowledge that they have retained their own legal counsel in this matter or have had the opportunity to retain legal counsel to review this Agreement.

11. Choice of Law, Jurisdiction and Venue. This Agreement will be construed in accordance with the laws of the State of Georgia. In the event of any dispute arising out of or in any way related to this Agreement, the Parties consent to the sole and exclusive jurisdiction of the state courts located in Fulton County, Georgia. The Parties waive any objection to jurisdiction and venue of those courts.

12. Entire Agreement; Modification. This Agreement sets forth the entire agreement between the Parties hereto, and fully supersedes any prior agreements or understandings between the Parties. The Parties acknowledge that they have not relied on any representations, promises, or agreements of any kind made to them in connection with their decision to accept this Agreement, except for those set forth in this Agreement.

13. Counterparts. This Agreement may be executed in counterparts which, taken together, will constitute one and the same Agreement and will be effective as of the date last set forth below, and signatures by facsimile and electronic mail will have the same effect as the originals.

IN WITNESS WHEREOF, the Parties have set their hands and seals to this instrument on the date set forth below.

Dated: March 6, 2020

/s/ Bruce V. Spiva

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Counsel for State Defendants

Additional Information for Review and Consideration On Voting Systems Recommendations

As an element of research, two States have been contacted, Florida, <https://dos.myflorida.com/elections/voting-systems/certified-voting-systems-and-vendors/> and Iowa, <https://sos.iowa.gov/elections/votingep/index.html>, that have a reputation for conducting honest, efficient, and trouble-free State and Federal candidate elections. Both states use hand marked election ballots scanned on different vendors' scanners.

Iowa uses both Unisyn Voting Solutions, <http://www.unisynvoting.com>, and the remainder is Elections Systems and Software (ES&S), <https://www.essvote.com/products/>, scanning systems with hand marked paper ballots. 70% of Iowa's counties use Unisyn Voting Solutions, and the remainder is Elections Systems and Software (ES&S). Please go to the Unisyn website and review the product videos, and note the security on the scanner and ballot collection device.

It is recommended that Georgia consider moving to a manual paper ballot and optical scanning voting process, while retaining the current Dominion KnowInk poll books, Dominion precinct and mail ballot scanners, and the central server. However, Georgia should return touchscreens, dedicated printers and batteries for each BMD unit, retaining only enough for federally required accessible units for voters with disabilities.

Because of alleged Dominion contractual and legal violations, Georgia could insist on a significant refund of monies spent on these machines. An attorney would need to review all contractual issues to identify the provisions Dominion failed to comply with Georgia laws and regulations and its contract provisions.

Note: The Federal government (Election Assistance Commission) is planning on issuing recommendations on key voting machine standards on February 10th, 2021 to be used in State elections. It may be prudent not to commit to purchase any new equipment until we understand the elements of the new Federal guidelines, since this will have an impact on voting systems offerings by the manufactures. No systems have yet been manufactured and certified to meet these new standards according to voting systems experts.