

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

GARLAND FAVORITO, ET AL,

PETITIONERS,

V.

ALEX WAN, ET AL.,

RESPONDENTS,,

CIVIL ACTION FILE NO.

2020-CV-343938

**CAROLINE JEFFORDS' POST-HEARING BRIEF ON
MOTIONS FOR ATTORNEY FEES**

Comes now Caroline Jeffords, Petitioner in the above-entitled matter, and submits this post-hearing brief on the motions for attorneys' fees filed by Fulton County and the Clerk of Fulton County Superior Court.

At the hearing counsel for the Clerk and the County argued that fees should be awarded because the allegations of fraud and irregularity in Fulton County's administration of the November 2020 election had been "debunked" and made reference to a report of the Secretary of State to that effect.

First, none of the filings made by either the County or the Clerk in support of their motions for fees made any reference whatsoever to the election irregularity allegations having been "debunked," nor to any report of the Secretary of State that allegedly accomplished the "debunking." Therefore, Petitioners had no notice the

argument would be made at the hearing, and thus no opportunity to prepare to rebut it. In any event, after allowing counsel for the County and the Clerk to make these arguments, the Court was unwilling to hear much at all from Petitioners' counsel on that issue. We presume therefore that that Court does not intend to make a finding that those allegations warrant an award of fees under § 9-15-14, as we are certainly entitled to a fair opportunity to offer evidence and argument on that issue before the Court could rule against us.

Second, no allegations of election fraud or irregularity were made against either the Clerk or the County. Accordingly, there is no legal basis for awarding them fees for allegations that were not made against them, and are still unadjudicated on the merits. They were added to the case upon the order of Judge Amero so that relief in the form of enforcement of Open Records Act requests could be afforded and to permit entry of enforceable orders for ballot inspection. Judge Amero in fact ordered such relief, so it is legally impossible to satisfy the essential element of the fee claim "that it could not be reasonably believed that a court would accept the asserted claim, defense, or other position," O.C.G.A. § 9-15-14(a), or that it "that lacked substantial justification." § 9-15-14(b).

The Court will no doubt have noticed that the County runs a sort of shell game with respect to which of its subdivisions is responsible for preserving and producing the records, and a related shell game on whether they are represented by the same

attorneys. The first line of the signature block for each filing made by the ostensibly separate and unconnected lawyers for the ostensibly separate entities, the County, the Clerk and the Fulton County Board of Registrations and Elections is “OFFICE OF THE COUNTY ATTORNEY.” All attorneys in that office necessarily and by definition report to the singular and titular Fulton County Attorney.

Third, we do not believe any no report from the Secretary of State has been filed into the record of this case, and therefore it could not properly be cited or relied upon by counsel for the County and the Clerk, nor relied upon by the Court to award fees. If the Court intends to rely upon such a report in ruling against the Petitioners on fees, the Petitioners should be allowed to present contrary evidence and to take Secretary Raffensperger’s deposition to test the data, methods, findings, conclusions, and veracity of the report.

Fourth, the State Election Board has heard several complaints and conducted several investigations thereof relating to Fulton County’s administration of the November 2020 election. Two of these complaints have resulted in findings of significant irregularities and the entry of consent orders with the Fulton County Board of Registration and Elections to correct such irregularities. Those are the following:

1. A consent order in State Election Board Case No. 2021-181, finding that Fulton County’s hand-count was done with significant irregularities, attached hereto as Exhibit 1;
2. State Election Board Case No. 2023-025 was based on a complaint alleging grave violations, available here:

<https://www.scribd.com/document/667347182/582622243-Moncla-and-Rossi-Complaint-07-08-2022> (last visited June 26, 2024). After two years the results of the Secretary of State's investigation of the complaint were heard by the State Election Board on May 7, 2024. The result as recorded in the Board's meeting summary was: "SEB 2023-025 Fulton County Tabulator Results 2020 General Election. After presentation and discussion of the investigative findings, the Board voted to issue a Letter of Reprimand and reach an agreement on a monitor for the 2024 General Election before the July hearing." See <https://sos.ga.gov/sites/default/files/2024-05/Summary%205.7.8.24.pdf>, p. 3. (last visited June 26, 2024).

These administrative adjudications finding irregularities in the election rebut the County's argument that all allegations of election irregularities have been "debunked."

Fifth, the allegations that counsel for the Clerk and the County contends were "debunked" were supported by substantial eye-witness affidavits which stand on their own. In addition, Judge Amero heard substantial expert testimony presented by Petitioners to support these allegations which was subjected to cross-examination. See Transcript of May 21, 2021 hearing filed November 12, 2021, testimony of David Sawyer and Dr. Detter-Hoskin. Based on that testimony, Judge Amero issued the Order to Unseal at the end of the hearing on May 21, 2021.

Sixth, counsel for the Clerk and the County contended that the various cases in Georgia regarding the 2020 presidential election had all found the allegations of election irregularity to be without merit. While this is a line that is constantly repeated by the media and is ardently believed by many people, and is apparently believed by opposing counsel, it is simply not true. Those cases were dismissed on non-merits grounds such as standing, laches, mootness, etc. President Trump's election contest in Fulton County

Superior Court was voluntarily dismissed very shortly after January 6, 2021 as moot.

None of those cases considered or were decided the merits. We challenge counsel for the County and the Clerk to identify a case where any of those issues were decided on the merits.

Seventh, as a further sample of evidence substantiating the contentions that there were meaningful irregularities in the election, attached is an affidavit of Mark Wingate, who was a member of the FCBRE during the 2020 election and an original respondent in this case. Mr. Wingate's affidavit, attached hereto as Exh. 52¹ explains that he voted against certification of the election for the following reasons:

I voted not to certify the results of the 2020 general election because, as a result of my service on the BRE, I was not comfortable with the processes and procedures used to derive the final election results, including, among other things:

- (a) The voter registration counts in the active/inactive voter rolls, which I had questioned for months;
- (b) The Board was told that Fulton County did not perform any signature verification on any absentee-by-mail ballot in the 2020 election;
- (c) The Board was never provided chain of custody documents that it requested;
- (d) The Board was never provided the surveillance footage of the drop boxes that we requested; and
- (e) There had been no answers to the allegations of misconduct in the final counting at State Farm Arena used to certify the 2020 election.

¹ The exhibit number is from another case.

Wingate Affid., ¶ 5.

At the time, O.C.G.A. § 21-2-38(b) and (c) (2020 version) unambiguously required that absentee ballot signatures be verified before an absentee ballot could be counted.

The U.S. Election Assistance Commission, based on data from the Georgia Secretary of State, published a report that Fulton County counted 146,029 ballots, and that 8.7% of 69, or 6 ballots were rejected for signature mismatch. The rejection rate was thus 0.0041%, effectively zero. *See* Exh. 561² attached hereto. It inescapably follows that 146,029 votes were counted in massive violation of unambiguous provisions of the election code.

In light of these findings by the State Election Board, and the sampling of other evidence described above, the argument made by counsel for the Clerk and the County that all allegations of election irregularity in Fulton County's administration of the November 2020 election had been “debunked” is itself “debunked” unto dust.

Respectfully submitted, this 26th day of June, 2024.

**CALDWELL, CARLSON, ELLIOTT &
DELOACH, LLP**

/s/ Harry W. MacDougald
Harry W. MacDougald
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hmacdougald@ccedlaw.com

² The exhibit number is from another case.

CERTIFICATE OF SERVICE

I hereby certify that on this 26th day of June, 2024, I electronically lodged the within and foregoing *Caroline Jeffords' Post-Hearing Brief On Motions For Attorney Fees* with the Clerk of Court using the Odyssey eFile/GA system which will provide automatic notification to counsel of record for all parties.

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**CALDWELL, CARLSON, ELLIOTT &
DELOACH, LLP**

/s/ Harry W. MacDougald
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**BEFORE THE STATE ELECTION BOARD
STATE OF GEORGIA**

In the matter of:

**FULTON COUNTY BOARD OF
REGISTRATION AND
ELECTIONS,**

Respondent.

**SEB Case 2021-181
2022-025
Fulton County**

CONSENT ORDER

The State Election Board, by and through counsel, and the Fulton County Board of Registration and Elections ("Respondent"), hereby enter into the following Consent Order for use in SEB Case Nos. 2021-181 and 2022-025 before the State Election Board in lieu of an evidentiary hearing.

FINDINGS OF FACT and CONCLUSIONS OF LAW

The findings of fact and conclusions of law set forth in the following Paragraphs 1 through 5 have been asserted against Respondent.¹ Respondent denies any willful misconduct but desire that the above-captioned case be resolved in its entirety in order to avoid further litigation. Respondent acknowledges that there is evidence of a *prima facie* case supporting the following assertions and enters into this negotiated Consent Order to resolve the issues that arose related to the 2020 General Election in Fulton County, Georgia.

1.

A complaint was submitted to the State Election Board and the Secretary of State's office regarding the risk-limiting audit conducted by Fulton County elections officials for the General

¹ SEB Case 2021-181 also names Richard Barron as an additional Respondent. Mr. Barron is no longer the Elections Director for Fulton County, and he is hereby dismissed.

Election held on November 3, 2020.²

2.

The complainant alleged that there were 36 inconsistencies discovered in the batch tally sheets for the risk-limiting audit conducted following the 2020 General Election, which were included in the data uploaded to the Secretary of State's website.

3.

A thorough investigation into the complaints was conducted by the Secretary of State's investigations division. Investigators met with the complainant, reviewed all of the data and documentation submitted by the complainant, and interviewed other relevant witnesses with knowledge. The results of the investigation showed that Fulton County elections staff misidentified and duplicated audit batch sheet data when entering the data into the Arlo software used by the Secretary of State's office to manage the risk-limiting audit.

4.

By failing to enter all of the audit batch sheet data accurately, Respondent violated SEB Rule 183-1-15-.04 regarding audits. The investigators further concluded that the reported inconsistencies were the result of human error in entering the data, which were not discovered in time to make corrections due to time limitations in completing the risk-limiting audit and the sheer amount of ballots, and not due to intentional misconduct by Fulton County elections staff.

5.

The discovered errors were a fractional number of the total votes counted and did not

² The State Election Board heard the recommendation of the investigators regarding SEB Case No. 2021-181 at the March 16, 2022 Board meeting and voted to bind the case over to the Attorney General's office. On March 31, 2022, an additional complaint was received and designated as SEB Case No. 2022-025. The Secretary of State's investigators determined that SEB Case No. 2022-025 is the same complaint that is at issue in SEB Case No. 2021-181. This Consent Order resolves the allegations against Respondent in both SEB Case Nos. 2021-181 and 2022-025.

affect the result of the 2020 General Election Fulton County, which were confirmed as accurate by the risk-limiting audit. The purpose of the risk-limiting audit was to confirm whether the results of the original tabulation of ballots were accurate, which the audit confirmed.

ORDER

1.

This Consent Order addresses and resolves all matters regarding Respondent in connection with SEB Case Nos. 2021-181 and 2022-025.

2.

The State Election Board, having considered the particular facts and circumstances of this case, inclusive of the within and foregoing Findings of Fact and Conclusions of Law, hereby ORDERS that Respondent cease and desist from further violations of the Election Code.

3.

Respondent hereby agrees to implement written policies and procedures for risk-limiting audits for all elections for which risk-limiting audits are required under SEB Rule 183-1-15-.04, which are attached as **Exhibit A**. Respondent hereby certifies to the State Election Board that it has already implemented these policies and procedures and did so for the 2022 General Election.

4.

Respondent agrees to adequately train all of its elections staff involved in conducting the risk-limiting audit on the policies and procedures in advance of each election.

5.

Members of the Fulton County Board of Registration and Elections have been provided with a copy of this Consent Order and have acknowledged that they understand the contents. Respondent understands that it has a right to a hearing in this matter. Respondent knowingly and voluntarily waives such right to a hearing, as well as any other rights under the Georgia

Administrative Procedure Act pertaining to notice and hearing for contested cases, by entering into this Consent Order.

6.

This Consent Order is entered in settlement of disputed matters, and the Consent Order entered herein is not to be construed as an admission of guilt or liability on the part of Respondent but is entered herein to resolve this State Election Board case. This Consent Order is a civil settlement and has no criminal ramifications.

7.

This Consent Order, inclusive of its Stipulations and Order, shall not become effective unless and until approved by the State Election Board at its June 8, 2023, meeting, and the State Board of Elections. If not approved by and executed on behalf of either board, , neither the stipulations nor any other part of this agreement shall have any binding legal effect whatsoever and shall not constitute an admission against interest or prejudice the ability of either the State Election Board or Respondents to adjudicate this matter.

This 8 day of June, 2023.

Consented to:

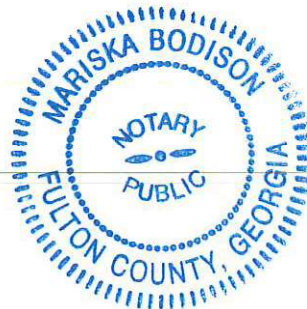
FULTON COUNTY BOARD OF REGISTRATION AND ELECTIONS

BY: Glenn M. Woolan

Sworn to and subscribed
before me this 8 day
of June, 2023.

Mariska Bodison
NOTARY PUBLIC

My commission expires: March 22, 2027



Approved by the State Election Board this 21st day of June, 2023.

STATE ELECTION BOARD

BY: William S. Duffey, Jr.
WILLIAM S. DUFFEY, JR.
CHAIRPERSON

Exhibit A

**THE DEPARTMENT OF FULTON COUNTY REGISTRATION & ELECTIONS
FOLLOWS THE STANDARD OPERATION PROCEDURES OUTLINED BELOW BY
THE GEORGIA SECRETARY OF STATE IN REGARDS TO CONDUCTING
RISK LIMITING AUDITS:**

Summary of Steps to Complete in Arlo to Prepare for Audit

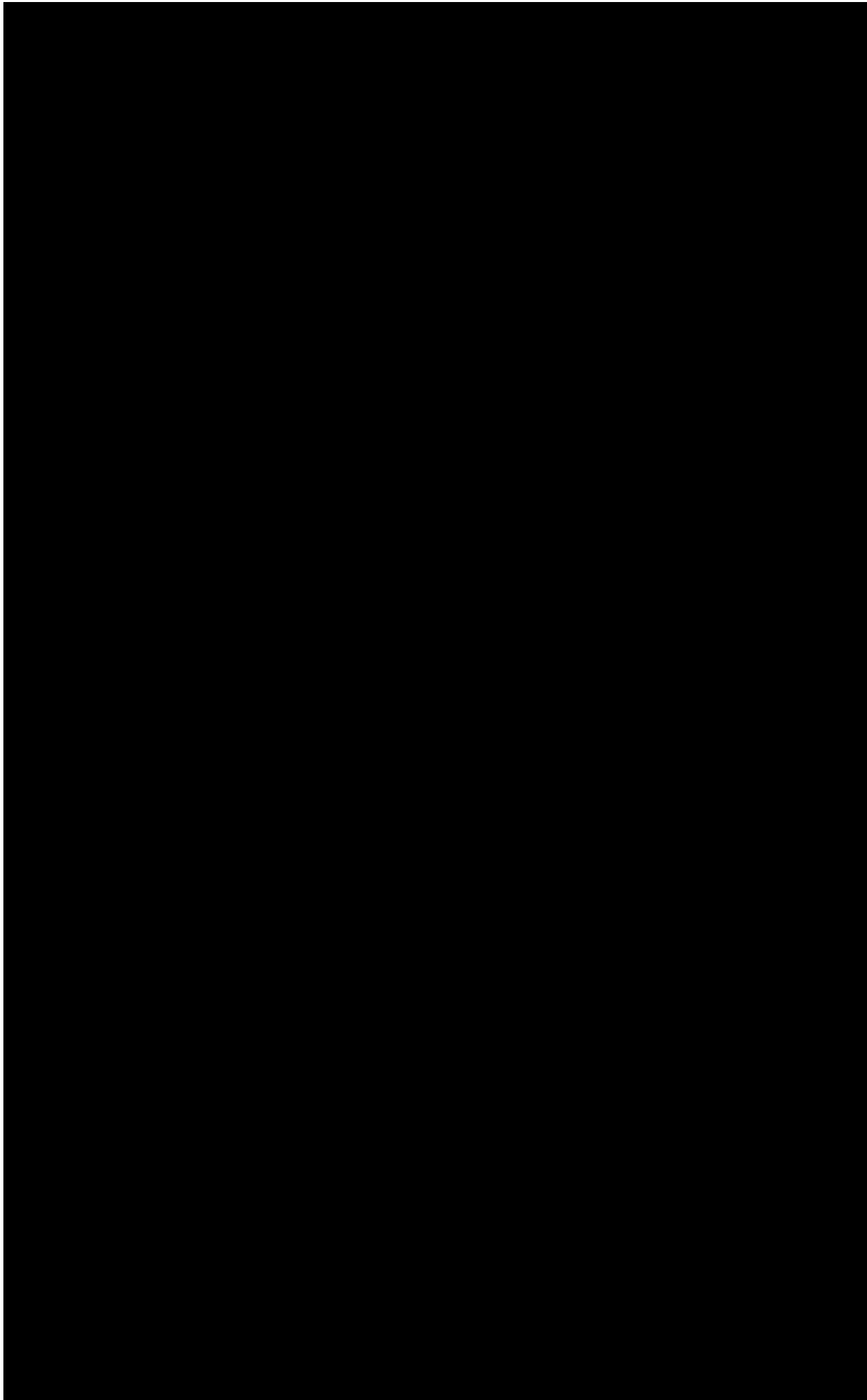
*Please note that all counties should review the October 13th RLA training, which can be found on Firefly at this location: [Webinars > 2022 Webinars > 10.13.2022 RLA Audit Training](#). **Steps:***

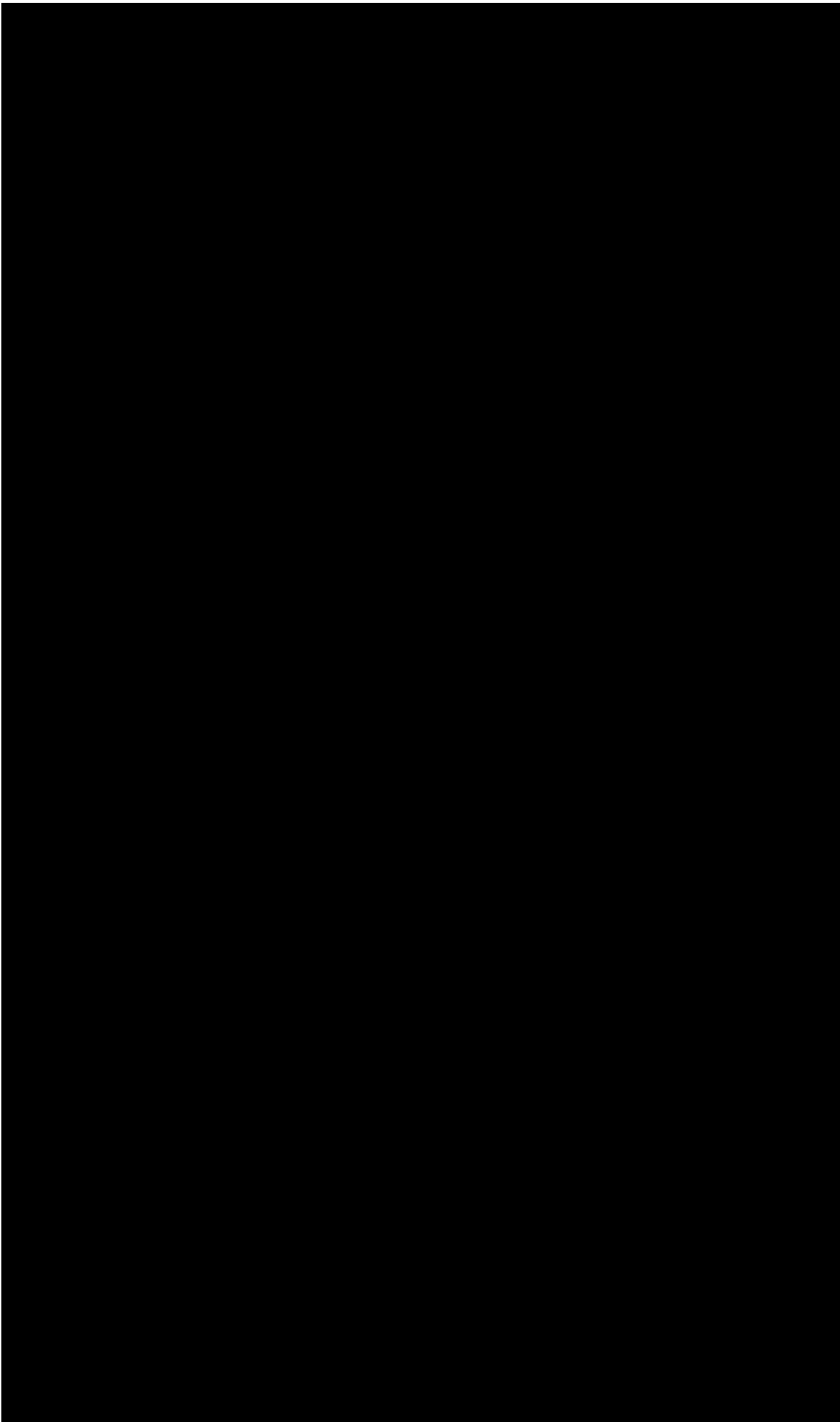
- 1. Sign up for your Arlo account. (You will not need to do this if you already have an account from November)**
 - a. Your county office can have 2 Arlo administrator accounts. Those administrator accounts will be able to create accounts for additional users in your office. Only the 2 administrators will be able to complete submission to the Secretary of State at the end of the audit **If you need to create an account, please email rla@vx.support.**
- 2. As soon as you certify your results at the county level, generate your Cast Vote Records and Tabulator Status Reports.**
 - a. For instructions on how to generate these reports, review Appendix A.
 - b. Make sure you use the Tabulator Status report that does not have To_Excel in the file name.
- 3. Upload your Cast Vote Records and Tabulator Status Reports into Arlo.**
 - a. For instructions on how to upload these reports, review pages 1 and 2 of Appendix B.
- 4. Download your Batch Inventory Worksheet and verify the ballot counts in the worksheet. Once you have verified the numbers, confirm that you have completed the worksheet by checking the appropriate box in Arlo. Then hit "Continue."**
 - a. Review pages 2 and 3 of Appendix B for more information.
- 5. Based on the data you provide, Arlo will generate 2 files: 1. Ballot Manifest; and 2. Candidate Totals by Batch. Download both files, and save them so you can easily access the files.**
 - a. Review page 4 of Appendix B for more information.
- 6. After you click, "Return to Audit Source Data," scroll down to the Ballot Manifest and Candidate Totals by Batch sections. Upload the Ballot Manifest file that you just saved, and then upload the Candidate Totals by Batch file that you just saved.**
- 7. Wait for your random batch selections to appear in Arlo. The dice roll will be held in the State Capitol on Tuesday, December 13, 2022 in the morning and batch selections should appear in Arlo after 5:00 P.M. for you to download.**
- 8. Participating counties will complete the audit by 5:00 P.M. on Thursday, December 15, 2022.**

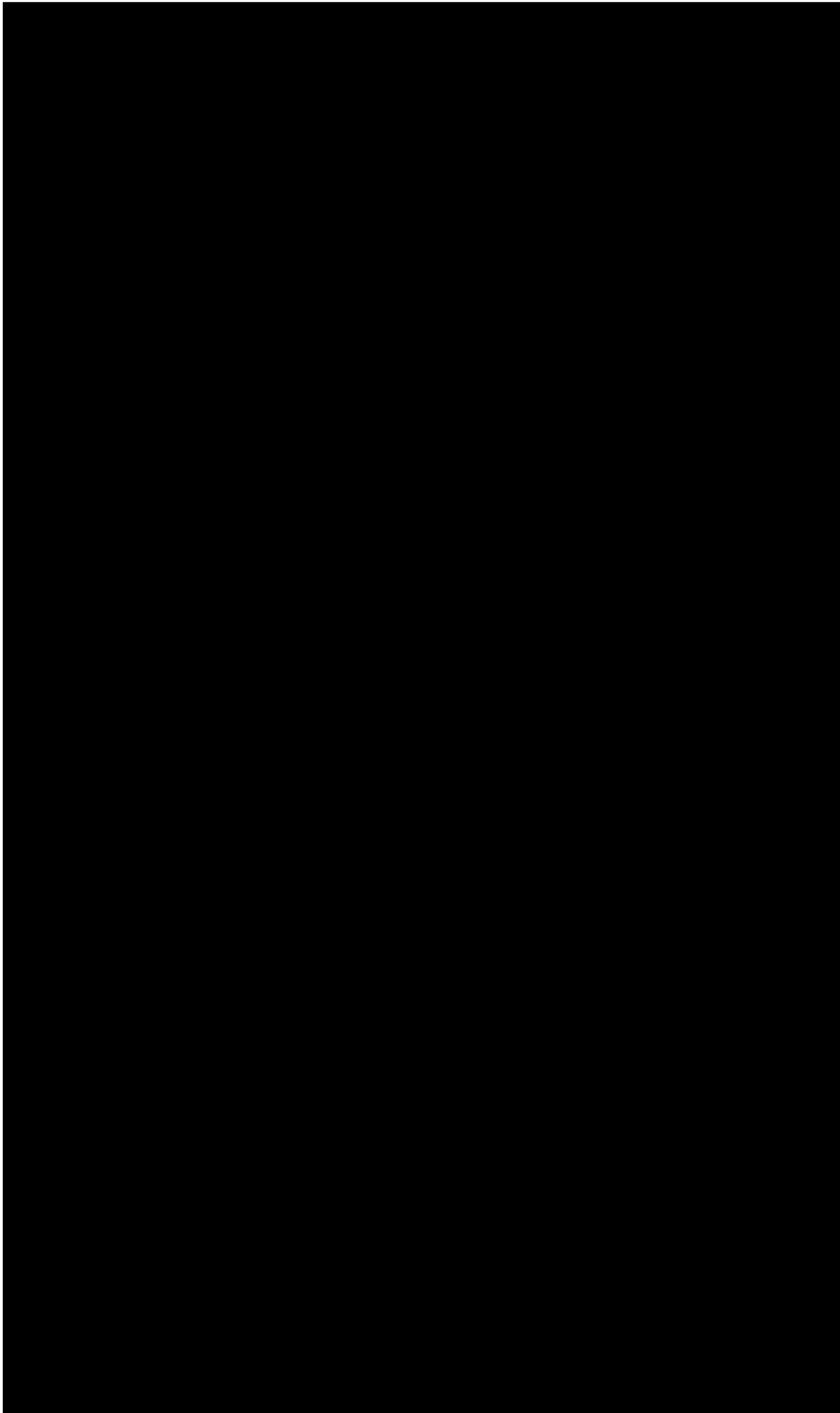
BALLOT INVENTORY TOOL WHAT YOU WILL GENERATE

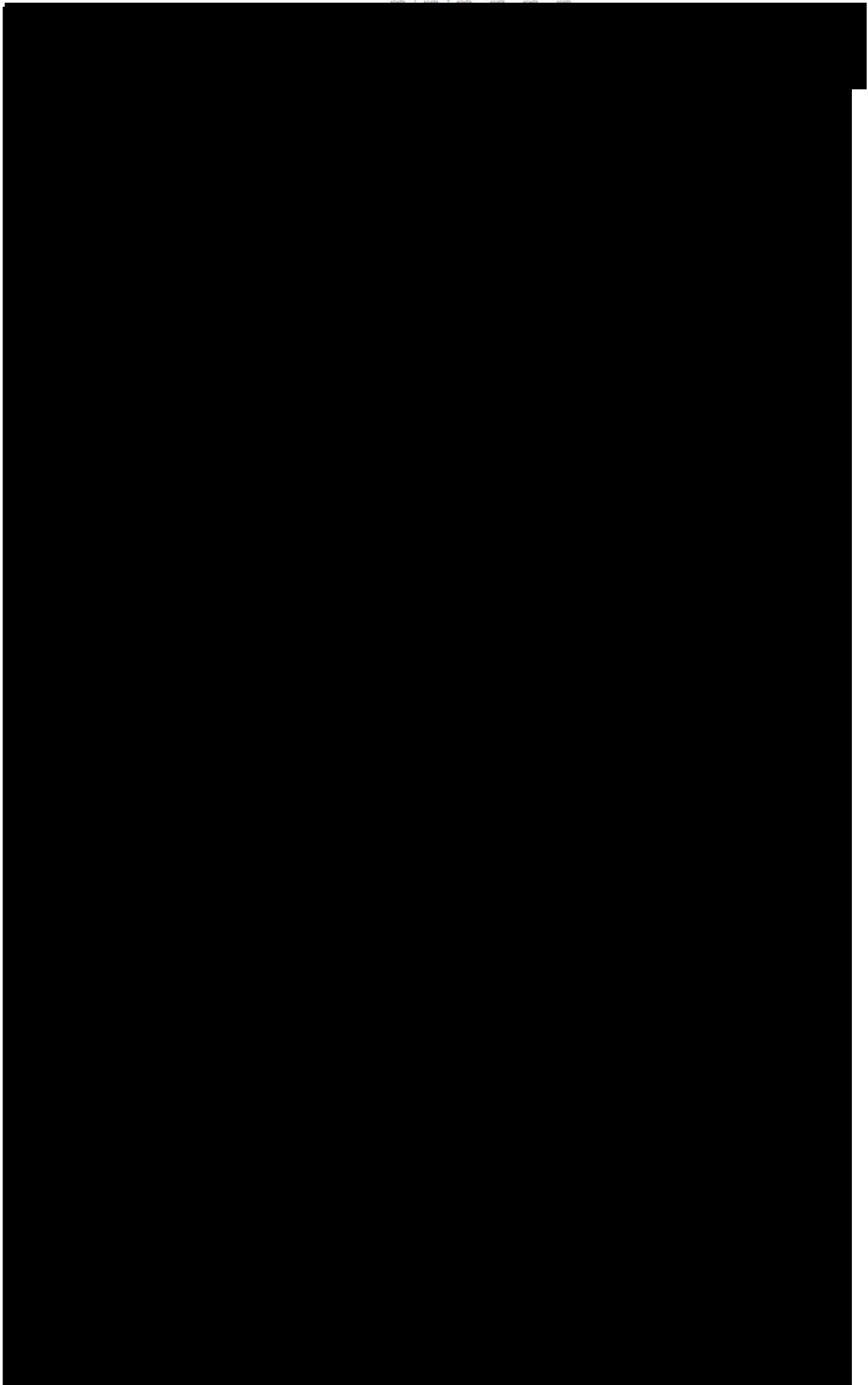
APPENDIX A - PAGE 1 OF 5

- **Cast Vote Records**
 - This report lists every ballot scanned during the entire election along with how the voting system recorded the voter's selections.
 - You will check the tabular format option in order to export the file as a CSV.
 - This is the same as the file type that you generate in response to Open Records Requests.
- **Tabulator Status Report**
 - This report lists every tabulator contained in your database along with how many ballots were recorded by that tabulator.
 - Any tabulators with uploaded results will have a "Load Status" of 1.
 - Any tabulators with a "Load Status" of 0 either were not uploaded or were never downloaded and used.
 - *Remember that it is up to you to ensure that all your votes have been uploaded to the RTR System – the system will not check that for you.*







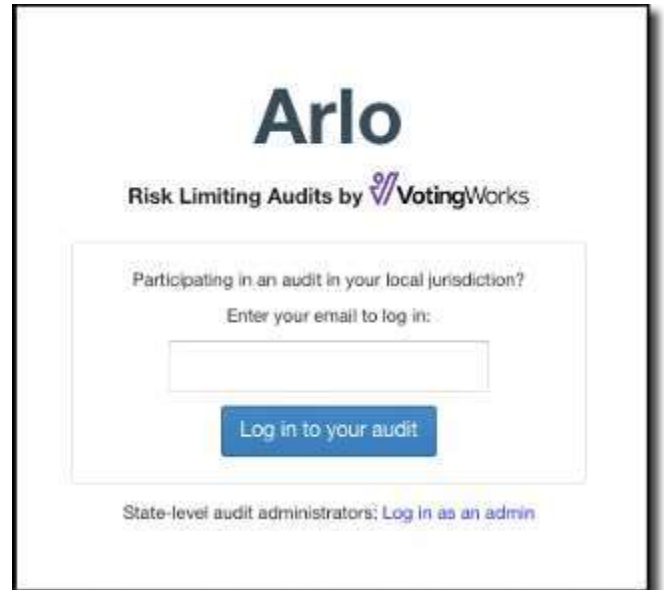


APPENDIX B - PAGE 1 OF 4

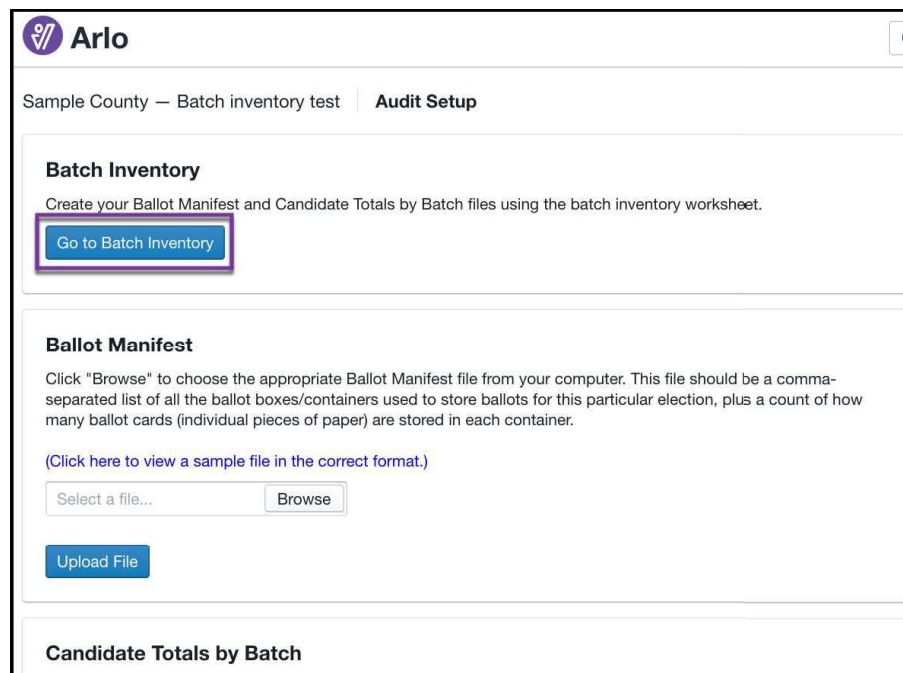
Georgia Batch Inventory Tool Guide

The Batch Inventory in Arlo, allows counties a quick inventory list to use to verify their stored batch inventory prior to the start of an audit.

To use this tool, simply [log in to Arlo](#) as you would for an audit by entering your email address in the box and selecting Log in to your audit. A code will be sent to your email address to be used as your login credential.

The image shows the Arlo login interface. At the top, the 'Arlo' logo is displayed in a large, bold, dark blue font. Below the logo, the text 'Risk Limiting Audits by VotingWorks' is shown, with the VotingWorks logo to the right. The main content area is a light gray box with a white background. It contains the text 'Participating in an audit in your local jurisdiction?' followed by 'Enter your email to log in:'. Below this is a white text input field. Under the input field is a blue button with the text 'Log in to your audit'. At the bottom of the box, there is a link that says 'State-level audit administrators: Log in as an admin'.

Next, select Go to Batch Inventory.

The image shows the 'Batch Inventory' page in the Arlo application. The page has a header with the Arlo logo and the text 'Sample County — Batch inventory test | Audit Setup'. The main content area is divided into two sections. The first section is titled 'Batch Inventory' and contains the text 'Create your Ballot Manifest and Candidate Totals by Batch files using the batch inventory worksheet.' Below this text is a blue button with the text 'Go to Batch Inventory', which is highlighted with a purple rectangular border. The second section is titled 'Ballot Manifest' and contains the text 'Click "Browse" to choose the appropriate Ballot Manifest file from your computer. This file should be a comma-separated list of all the ballot boxes/containers used to store ballots for this particular election, plus a count of how many ballot cards (individual pieces of paper) are stored in each container.' Below this text is a link that says '(Click here to view a sample file in the correct format.)'. Below the link is a text input field with the placeholder text 'Select a file...' and a 'Browse' button. Below the input field and button is a blue button with the text 'Upload File'. The third section is titled 'Candidate Totals by Batch'.

APPENDIX B - PAGE 2 OF 4

Upload your Cast Vote Records (CVRs) and Tabulator Status file by selecting the Browse button and locating the file saved from your Election Management System (EMS) and then selecting Upload for each file. Then select Continue in the lower right corner.

Note: The tabulator status file must be the .xml file that does **not** have “to Excel” in the file name.

The screenshot shows the 'Batch Inventory' screen in the Arlo system. At the top, there's a progress bar with three steps: '1 Upload Election Results', '2 Inventory Batches', and '3 Download Audit Files'. The '2 Inventory Batches' step is currently active. Below this, there are two main sections: 'Cast Vote Records (CVR)' and 'Tabulator Status'. In the 'CVR' section, a text box contains 'test-cvr.csv', and there are 'Browse' and 'Upload' buttons. In the 'Tabulator Status' section, there's a 'Select a file...' text box, and 'Browse' and 'Upload' buttons. At the bottom right, there is a 'Continue' button. Numbered callouts (1-5) highlight the 'Browse' button for CVR (1), the 'Upload' button for CVR (2), the 'Browse' button for Tabulator Status (3), the 'Upload' button for Tabulator Status (4), and the 'Continue' button (5).

Your Batch Inventory Worksheet will be created and can be downloaded by selecting the Download Batch Inventory Worksheet button in the middle of the screen.

This screenshot shows the 'Batch Inventory' screen after the upload step. The progress bar now shows '1 Upload Election Results' as complete (with a checkmark) and '2 Inventory Batches' as the current step. The 'Download Batch Inventory Worksheet' button is highlighted with a red box. Below this button is a checkbox labeled 'I have completed the batch inventory worksheet.' At the bottom of the screen, there are 'Back' and 'Continue' buttons.

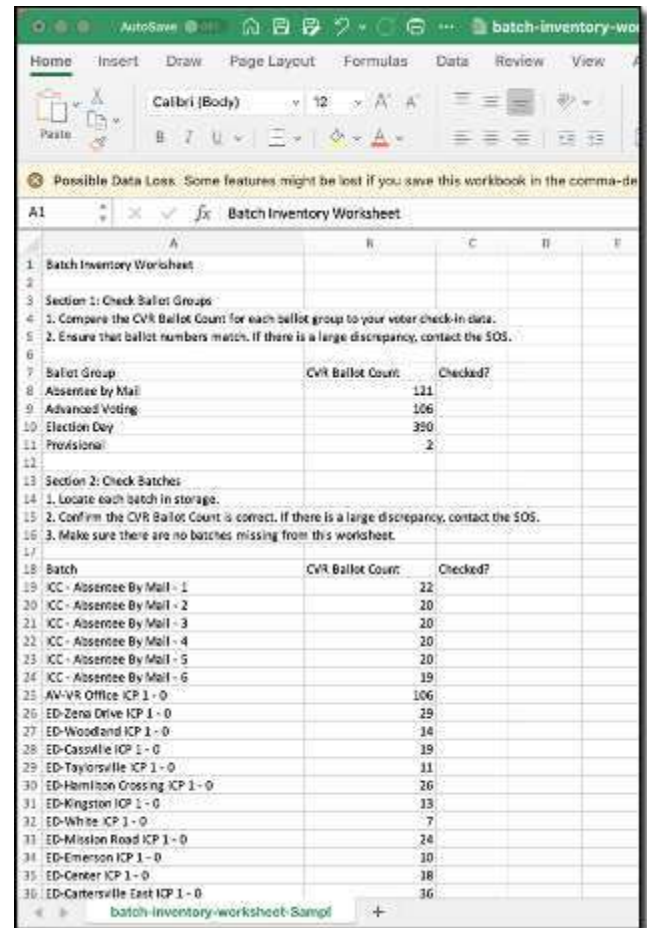
APPENDIX B - PAGE 3 OF 4

The Ballot Inventory Worksheet is a .csv file that can be opened and printed in a spreadsheet program like Excel and Google Sheets. *Each section of the worksheet should be reviewed carefully and compared to voter check-in data and your physical inventory.*

Section 1 provides totals for each ballot group type, including Absentee by Mail, Advanced Voting, Election Day, and Provisional. Verify these totals match your known voter totals.

Section 2 provides total ballots by batch. Verify each batch is present in your physical inventory and matches your reconciliation form counts. Verify no batches are missing.

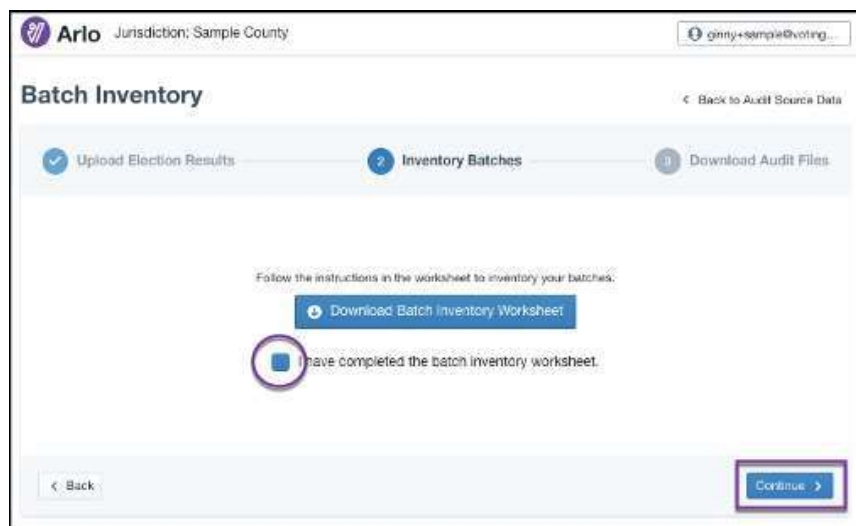
If batches are missing, they should be added to your EMS and a new CVR file should be downloaded from the EMS and uploaded into Arlo. If batches are stored differently, please contact us for further instruction.



Ballot Group	CVR Ballot Count	Checked?
Absentee by Mail	121	
Advanced Voting	106	
Election Day	350	
Provisional	2	

Batch	CVR Ballot Count	Checked?
ICC - Absentee By Mail - 1	22	
ICC - Absentee By Mail - 2	20	
ICC - Absentee By Mail - 3	20	
ICC - Absentee By Mail - 4	20	
ICC - Absentee By Mail - 5	20	
ICC - Absentee By Mail - 6	19	
AV-VR Office ICP 1 - 0	106	
ED-Zena Drive ICP 1 - 0	19	
ED-Woodland ICP 1 - 0	14	
ED-Cassville ICP 1 - 0	19	
ED-Taylorsville ICP 1 - 0	11	
ED-Hamilton Crossing ICP 1 - 0	26	
ED-Kingston ICP 1 - 0	13	
ED-White ICP 1 - 0	7	
ED-Mission Road ICP 1 - 0	24	
ED-Emerson ICP 1 - 0	10	
ED-Center ICP 1 - 0	18	
ED-Cartersville East ICP 1 - 0	36	

Once all batches have been confirmed, log back into Arlo and mark the I have completed the batch inventory worksheet box and select Continue.



Arlo Jurisdiction: Sample County

Batch Inventory

Upload Election Results Inventory Batches Download Audit Files

Follow the instructions in the worksheet to inventory your batches.

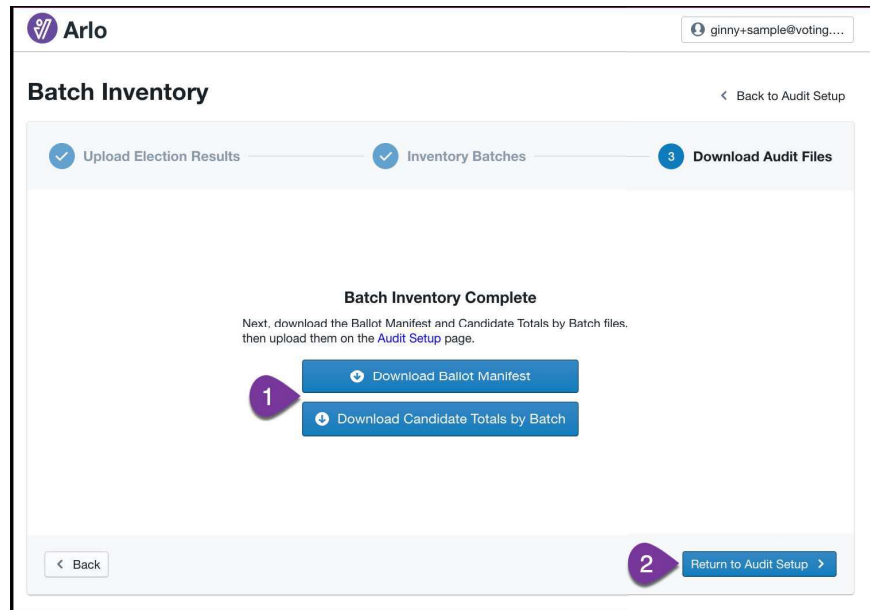
Download Batch Inventory Worksheet

☐ I have completed the batch inventory worksheet.

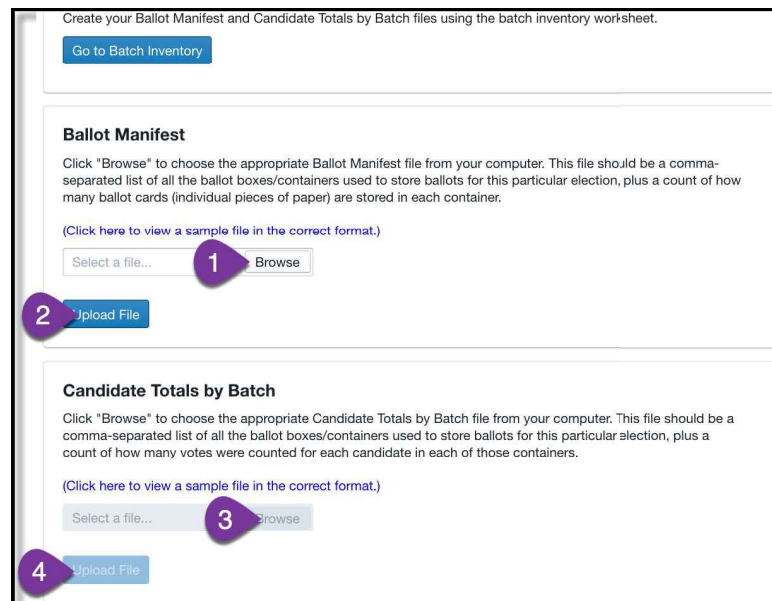
Continue

APPENDIX B - PAGE 4 OF 4

The tool will generate your Ballot Manifest and Candidate Totals by Batch files for the audit. Simply download each file and select Return to Audit Setup.



Then upload each file into Arlo for the audit by selecting the Browse button and locating the file saved on your computer and then selecting Upload for each file.



Your pre-audit files are now uploaded and are ready for the audit to be launched by the Department of State.

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

EXHIBIT

R-052

FULTON COUNTY REPUBLICAN PARTY

Plaintiff,

v.

FULTON COUNTY BOARD OF
COMMISSIONERS, ROBB PITTS,
BRIDGET THORNE, BOB ELLIS, DANA
BARRETT, NATALIE HALL, MARVIN S.
ARRINGTON, JR., and KHADIJAH
ABDUR-RAHMAN,

Defendants.

Case No. 2023CV382174

NOTICE OF FILING

COMES NOW Attorney David Oles, Attorney for Plaintiff, and hereby gives
notice that he is filing the following:

- A. AFFIDAVIT OF MARK WINGATE IN SUPPORT OF AMENDED COMPLAINT
FOR DECLARATORY JUDGMENT AND APPLICATION FOR WRIT OF
MANDAMUS

Respectfully submitted this 27th day of July, 2023.

/s/ David E. Oles, Sr.
David Edward Oles, Sr., Esq.
Georgia Bar No. 551544

5755 North Point Parkway
Suite 25
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(877) 207-3883 (fax)
firm@deoleslaw.com

**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

FULTON COUNTY REPUBLICAN
PARTY,

Plaintiff,

v.

FULTON COUNTY BOARD OF
COMMISSIONERS, ROBB PITTS,
BRIDGET THORNE, BOB ELLIS, DANA
BARRETT, NATALIE HALL, MARVIN S.
ARRINGTON, JR., and KHADIJAH
ABDUR-RAHMAN,

Defendants.

Case No. 2023CV382174

**AFFIDAVIT OF MARK WINGATE IN SUPPORT OF AMENDED
COMPLAINT FOR DECLARATORY JUDGMENT AND APPLICATION FOR
WRIT OF MANDAMUS**

The undersigned Affiant, being duly sworn on his oath, deposes and says that:

1.

My name is Mark Wingate, I reside in Fulton County, and I am of legal age to make this affidavit.

2.

I was a member of the Fulton County Board of Registration and Elections (the "BRE"), a position I have held since 2017, when I was nominated by the Fulton County Republican Party ("FCRP") and appointed by the Fulton County Board of Commissioners ("BoC"). I submit this affidavit in support of the FCRP's AMENDED COMPLAINT FOR DECLARATORY JUDGMENT AND APPLICATION FOR WRIT OF MANDAMUS filed concurrently herewith (the "Second Complaint").

3.

I have personal knowledge concerning the matters discussed herein and am under no disability that would prevent my testimony.

4.

I have now seen the initial COMPLAINT FOR DECLARATORY JUDGMENT AND APPLICATION FOR WRIT OF MANDAMUS AND INJUNCTIVE RELIEF filed with the Fulton County Superior Court on June 29, 2023 and accepted for filing on June 30, 2023 (the "Initial Complaint"). I am aware of and have been asked to provide this record of my experience in connection with the Second Complaint.

5.

I have served on the BRE since 2017, when I was nominated by the FCRP. During that six-year term, I have become aware of the intricacies of election operations and maintenance in Fulton County and throughout Georgia. I voted not to certify the results of the 2020 general election because, as a result of my service on the BRE, I was not comfortable with the processes and procedures used to derive the final election results, including, among other things:

- (a) The voter registration counts in the active/inactive voter rolls, which I had questioned for months;
- (b) The Board was told that Fulton County did not perform any signature verification on any absentee-by-mail ballot in the 2020 election;
- (c) The Board was never provided chain of custody documents that it requested;

(d) The Board was never provided the surveillance footage of the drop boxes that we requested; and

(e) There had been no answers to the allegations of misconduct in the final counting at State Farm Arena used to certify the 2020 election.

6.

While I take my duties to the citizens of Fulton County seriously and have exercised those duties without regard to partisan interests, I have always considered myself a representative of the FCRP on the BRE. The statute authorizing my nomination and requiring my appointment limits the appointees to the BRE to two representatives from each of the two parties that obtained the highest number of votes in a recent election. I have read that statute and understand that my duties as a member of the BRE include my duties as a representative of a political party and an obligation to communicate with the FCRP. The BRE website has always identified me as one of the two "Republican Members."

7.

I am aware that the FCRP nominated Messrs. Mike Heekin and Jason Frazier as their new appointees to the BRE. I became aware that Messrs. Heekin and Frazier were presented to the BoC for appointment on June 7, 2023, but the BoC rejected the appointment of Mr. Frazier. To my knowledge, that was an unprecedented act in Fulton County or any other county that I have become aware of. I am aware that the BoC again rejected the appointment of Mr. Frazier at a subsequent BoC meeting on June 21, 2023.

8.

Prior to the scheduled end of my term on June 30, 2023, I had made my intentions clear to members of the FCRP and BRE that I had no intention of serving another term. I have

suffered serious health issues for several years from progressively worsening back issues. This fact was well known to all members of the BRE and to Ms. Patrise Perkins-Hooker, who had served as counsel to the BRE.

10.

I was therefore surprised when Ms. Perkins-Hooker sent me an email on Sunday night, July 2, 2023 (attached as Exhibit A). I read the email as saying that I was “required” to stay on the BRE. In the email, Ms. Perkins-Hooker stated she “hate[d] to let me know” that “our bylaws state that you serve until your replacement is named.”

11.

I expressed my surprise in my response to Ms. Perkins-Hooker. But I knew that she had served as the attorney for and counsel to the BRE, and was aware of the facts and the law, and trusted her to give me correct advice.

12.

Based on a subsequent email from Mr. Chad Alexis, Senior Assistant County Counsel for Fulton County, I became aware that the FCRP had served the BoC with a Temporary Restraining Order ("TRO") seeking to prevent the BoC from appointing a member of its own choosing to the BRE.

13.

No representative of or person associated with the FCRP contacted me about the Initial Complaint. Although I considered myself a representative of the FCRP, I did not expect to receive any such communication since I believed my term had expired on June 30, 2023.

14.

I knew that Ms. Perkins-Hooker had also recently been appointed to serve as the Chair of BRE. I subsequently was led to believe by Ms. Perkins-Hooker and Mr. Alexis that Mr. Frazier had been appointed to fill “my” seat and that, because he had not been appointed, I would be required to stay on the BRE as what I understood to be a “placeholder” in “my seat” until a replacement was named.

15.

I do not know if any similar representation was made to Dr. Kathleen Ruth, the other outgoing Republican Member of the BRE, whose term had also expired on June 30, 2023. I do not believe that the appointments of the FCRP are specific to individual replacements on the BRE.

16.

At 5:33 pm on July 5, 2023, Mr. Alexis sent an urgent request for an affidavit attached as Exhibit B, asking for an immediate signature and notarization. Mr. Alexis stated that the FCRP had “served” the BoC with a “Temporary Restraining Order” because of the “vacancy” on the BRE. Mr. Alexis’ email continued as follows:

[P]er your email exchange with Chairperson Perkins-Hooker, your willingness to serve until a successor is appointed (as per the Fulton County Code) ensures that no such vacancy occurs. To that end, we have attached an Affidavit to this effect for your review and signature, and to be notarized. This affidavit is needed for the TRO Hearing set for tomorrow, so we will need the fully executed document no later than tomorrow at 9:00am. Please let me know if you have any questions or concerns.

17.

Based on the emails with Ms. Perkins-Hooker and Mr. Alexis, both of whom I knew as lawyers, and their citing of the “Fulton County Code” and “bylaws,” I understood I was required to act as they directed.

18.

Mr. Alexis prepared the affidavit without any input from me. He had a notary drive to my daughter’s house, where I was staying, at approximately 7:30 pm on the night of July 5, 2023 to witness my signature on the affidavit he had prepared. I was not advised as to how the affidavit would be used in litigation and was not advised to contact counsel. The notary did not leave me with a copy of what I was asked to sign and I have never received a copy of that notarization.

19.

I trusted Ms. Perkins-Hooker to provide appropriate legal advice, as I felt that she had done in the past. I knew that was also the role of Mr. Alexis. During my tenure on the BRE, I have been involved in several lawsuits, and I have, like other BRE members, relied upon the advice of counsel to direct our submissions. I was told only that the affidavit was needed for court hearing on July 6, 2023.

20.

Not until after the July 13 Zoom meeting of the BRE did I know that future surgery was scheduled that would make it difficult for me to continue in my role as a “placeholder” on the BRE.

21.

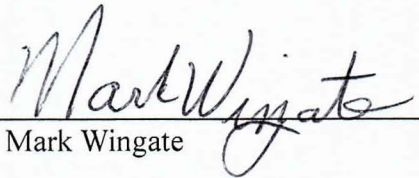
On July 14, 2023, I sent Ms. Perkins-Hooker an email (reproduced as Exhibit C) and told her that I had back surgery scheduled for August 9, 2023 with a long period of recovery. I notified her that I was “discontinuing my placeholder services on the BRE.”

22.

Ms. Perkins-Hooker responded to me and interpreted my email as a “resignation. (See Exhibit D.) She added that “Your resignation should be sent to all of the members of the Board of Commissioners and the Clerk because they are the appointing authority. I have copied the others that you did not include on your previous email for that purpose.” She also stated in that email that, “Pursuant to Fulton County Code Section 14-37, the Board of Commissioners will have the power to appoint a successor for you as an interim appointment.”

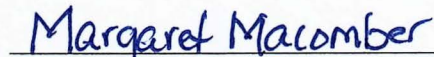
FURTHER AFFIANT SAYETH NOT.

Respectfully this 27th day of July, 2023.


Mark Wingate

Subscribed and sworn to before me, this 27th day of July, 2023. [Notary Seal:]


[Signature of Notary]


[printed name of Notary]
NOTARY PUBLIC


My commission expires: , 2025.

EXHIBIT A

FWD: EXTENSION OF TERM

From: Mark Wingate <wingate01md@gmail.com>
Sent: Sun, Jul 9, 2023 at 7:48 pm
To: sendres@fultongop.org

----- Forwarded message -----

From: **Mark Wingate**
<wingate01md@gmail.com> Date: Sun, Jul 2,
2023 at 8:49 PM
Subject: Re: Extension of Term
To: Patrise Perkins-Hooker <pperkins-hooker@jflc.com>
CC: Bodison, Mariska <Mariska.Bodison@fultoncountyga.gov>, Waller, Regina
<Regina.Waller@fultoncountyga.gov>, Williams, Nadine <Nadine.Williams@fultoncountyga.gov>

Well ok. Bit of a surprise but of course I will serve until this is straightened out. Thank you for giving me this advanced notice Patrise.

On Sun, Jul 2, 2023 at 7:55 PM Patrise Perkins-Hooker <pperkins-hooker@jflc.com> wrote:

Mr. Wingate, I hate to let you know that until the Board of Commissioners approves a nomination to replace you, our bylaws state that you serve until your replacement is named. As a result, I need you to make arrangements to attend the July 13th meeting via Zoom just in case the Board of Commissioners does not approve someone prior to the July 13th meeting. If they do, they you will not have to participate. I just wanted to give you a heads up.

Patrise Perkins-Hooker
Administrative Partner
pperkins-hooker@jflc.com
3915 Cascade Rd.
Suite 205
Atlanta, Georgia 30331-8522
770-415-1026 (Main)
770-769-1578 (Direct)
404-254-2387 (Fax)

EXHIBIT B

----- Forwarded message -----

From: Mark Wingate

<wingate01md@gmail.com> Date: Wed, Jul 5, 2023 at 6:27 PM

Subject: Re: Affidavit

To: Alexis, Chad <Chad.Alexis@fultoncountyga.gov>

CC: Burwell, Kaye <Kaye.Burwell@fultoncountyga.gov>, Forsyth, Adrienne <Adrienne.Forsyth@fultoncountyga.gov>, Lowman, David <David.Lowman@fultoncountyga.gov>

Ok

On Wed, Jul 5, 2023 at 6:27 PM Alexis, Chad <Chad.Alexis@fultoncountyga.gov> wrote:
Great, we will be sending someone over to ADDRESS REDACTED for 7:30 tonight.

CHAD D. ALEXIS

Senior Assistant County Counsel
Office of the Fulton County
Attorney 141 Pryor Street, SW,
Suite 4038
Atlanta, Georgia 30303
(404) 612-0217 (direct)
Chad.Alexis@fultoncountyga.gov
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From: Mark Wingate <wingate01md@gmail.com>

Sent: Wednesday, July 5, 2023 6:25 PM

To: Alexis, Chad <Chad.Alexis@fultoncountyga.gov>

Cc: Burwell, Kaye <Kaye.Burwell@fultoncountyga.gov>; Forsyth, Adrienne <Adrienne.Forsyth@fultoncountyga.gov>; Lowman, David <David.Lowman@fultoncountyga.gov>

Subject: Re:

Affidavit 7:30.

On Wed, Jul 5, 2023 at 6:21 PM Alexis, Chad <Chad.Alexis@fultoncountyga.gov> wrote:

Can we send someone this evening? Tomorrow morning may be cutting it a bit too close.

Chad D. Alexis

Senior Assistant County Counsel
Office of the Fulton County
Attorney 141 Pryor Street, SW,
Suite 4038
Atlanta, Georgia 30303
(404) 612-0217 (direct)
Chad.Alexis@fultoncountyga.
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From: Mark Wingate <wingateOmd@gmail.com>

Sent: Wednesday, July 5, 2023 6:17 PM

To: Alexis, Chad <Chad.Alexis@fultoncountyga.gov>

Cc: Burwell, Kaye <Kaye.Burwell@fultoncountyga.gov>; Forsyth, Adrienne <Adrienne.Forsyth@fultoncountyga.gov>; Lowman, David <David.Lowman@fultoncountyga.gov>

Subject: Re: Affidavit

I am at my daughter's residence tomorrow all day. Address:

ADDRESS REDACTED

Let me know the time of arrival.

On Wed, Jul 5, 2023 at 6:14 PM Alexis, Chad <Chad.Alexis@fultoncountyga.gov> wrote:

Will you be amenable to us sending a notary to your location to witness your signature and notarize the Affidavit? If so, let us know where you would like to meet.

Chad D. Alexis

Senior Assistant County Counsel
Office of the Fulton County
Attorney 141 Pryor Street, SW,
Suite 4038
Atlanta, Georgia 30303
(404) 612-0217 (direct)

Chad.Alexis@fultoncountyga.gov

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From: Mark Wingate <wingate01md@gmail.com>

Sent: Wednesday, July 5, 2023 6:07 PM

To: Alexis, Chad <Chad.Alexis@fultoncountyga.gov>

Cc: Burwell, Kaye <Kaye.Burwell@fultoncountyga.gov>; Forsyth, Adrienne <Adrienne.Forsyth@fultoncountyga.gov>; Lowman, David <David.Lowman@fultoncountyga.gov>

Subject: Re: Affidavit

I have no way to get this notarized by 9am tomorrow.

On Wed, Jul 5, 2023 at 5:33 PM Alexis, Chad <Chad.Alexis@fultoncountyga.gov>

wrote: Good day,

Today, the Fulton County Republican Party served the Board of Commissioners ("BOC") with a Temporary Restraining Order ("TRO") seeking to prevent the BOC from appointing a member of their own choosing to the Board of Registration and Elections ("BRE"). The Fulton County Republican Party believes that such an appointment will take place in the event that there is a vacancy on the BRE. However, per your email exchange with Chairperson Perkins-Hooker, your willingness to serve until a successor is appointed (as per the Fulton County Code) ensures that no such vacancy occurs. To that end, we have attached an Affidavit to this effect for your review and signature, and to be notarized. This affidavit is needed for the TRO Hearing set for tomorrow, so we will need the fully executed document no later than tomorrow at 9:00am. Please let me know if you have any questions or concerns.

Chad D. Alexis

Senior Assistant County Counsel

Office of the Fulton County

Attorney 141 Pryor Street, SW,

Suite 4038

Atlanta, Georgia 30303

(404) 612-0217 (direct)

Chad.Alexis@fultoncountyga

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EXHIBIT C

From: Mark Wingate <wingate01md@gmail.com>
Sent: Friday, July 14, 2023 10:43 AM
To: Patrise Perkins-Hooker <pperkins-hooker@jflc.com>
Cc: Bob Ellis <bob.ellis@fultoncountyga.gov>; Thorne, Bridget
<Bridget.Thorne@fultoncountyga.gov>; sendres@fultongop.org <sendres@fultongop.org>
Subject: BRE seat

Patrise:

My neurosurgeon has scheduled my next lower spine surgery for August 9. This will cause a recovery period of several weeks if not months.

I will not be able to continue on the BRE going forward for this reason therefore this notice serves as my notification of discontinuing my placeholder services on the BRE.

I wish you and the Board as well as the department much success.

--

Mark Wingate

EXHIBIT D

-----Original Message-----

From: "Patrise Perkins-Hooker" <pperkins-hooker@jflc.com>

Sent: Friday, July 14, 2023 5:20pm

To: "Mark Wingate" <wingate01md@gmail.com>

Cc: "Bob Ellis" <bob.ellis@fultoncountyga.gov>, "Thorne, Bridget"

<Bridget.Thorne@fultoncountyga.gov>, "sendres@fultongop.org" <sendres@fultongop.org>,"

"Arrington, Marvin S" <Marvin.arrington@fultoncountyga.gov>, "Pitts, Robb"

<robb.pitts@fultoncountyga.gov>, "Hall, Natalie" <natalie.hall@fultoncountyga.gov>, "Abdur-

Rahman, Khadijah" <khadijah.abdur-rahman@fultoncountyga.gov>,"

"dana.barrett@fultoncountyga.gov" <dana.barrett@fultoncountyga.gov>, "Grier, Tonya"

<Tonya.Grier@fultoncountyga.gov>

Subject: Re: BRE seat of Mark Wingate

Mr. Wingate,

I am very sorry that you have to undergo yet another surgery on your lower back. I know that these issues with your back have been inconveniencing you for a while and I had hoped that you would not have to have any more surgeries. I hope that this one is successful and ends the needs for any further surgery.

Thank you for confirming previously that your tenure with the BRE would continue as required under the County Code Section 14-36 until "a successor is appointed and qualified". You were not a placeholder but a valuable member of the board trying to hold out until a new Republican representative was appointed. I understand that your health issues will not allow you to complete the term until a successor is appointed and qualified. Your resignation should be sent to all of the members of the Board of Commissioners and the Clerk because they are the appointing authority. I have copied the others that you did not include on your previous email for that purpose.

Pursuant to Fulton County Code Section 14-37, the Board of Commissioners will have the power to appoint a successor for you as an interim appointment.

Thank you for your service to the BRE. I wish you the best of luck.

Patrise Perkins-Hooker
Administrative Partner
pperkins-hooker@jflc.com

3915 Cascade Rd.
Suite 205
Atlanta, Georgia 30331-8522

770-415-1026 (Main)
770-769-1578 (Direct)
404-254-2387 (Fax)

**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

FULTON COUNTY REPUBLICAN PARTY

Plaintiff,

v.

FULTON COUNTY BOARD OF
COMMISSIONERS, ROBB PITTS,
BRIDGET THORNE, BOB ELLIS, DANA
BARRETT, NATALIE HALL, MARVIN S.
ARRINGTON, JR., and KHADIJAH
ABDUR-RAHMAN,

Defendants.

Case No. 2023CV382174

CERTIFICATE OF SERVICE

I hereby certify that I have this day electronically filed and served NOTICE OF FILING using the Odyssey e-File GA system, which automatically sends email notification of such filing to all attorneys of record, and which constitutes effective service upon all attorneys of record, including:

Kaye Woodard Burwell
Kaye.burwell@fultoncountyga.gov
Office of the Fulton County Attorney
141 Pryor Street, S.W.
Suite 4038
Atlanta, Georgia 30303

THIS 27th day of July, 2023.



/s/ David E. Oles, Sr.
David Edward Oles, Sr., Esq.
Georgia Bar No. 551544

Notice of Filing

Page | 2

2

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Suite 25
Alpharetta, Georgia 30022
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Studies and Reports

Thursday, September 14, 2023

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Election Administration and Voting Survey (EAVS) Comprehensive Report

On June 29, 2023, the EAC published the biennial Election Administration and Voting Survey (EAVS) Comprehensive Report, an analysis of state-by-state data that covers various topics related to the administration of federal elections. Topics covered through EAVS data collection relate to voter registration and list maintenance, voting practices for overseas citizens and members of the armed forces serving away from home and other important issues related to voting and election administration. It is a survey of all 50 U.S. states, the District of Columbia, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands.

Prior to 2014, this data was reported in three different reports – the [National Voter Registration Act \(NVRA\) report](#), the [Uniformed and Overseas Citizens Absentee Voting Act \(UOCAVA\) report](#), and the Election Day Survey. In addition, for the 2018 administration of the EAVS, the EAC transitioned from the Statutory Overview, which asks states a series of open-ended questions about their election laws, definitions, and procedures, and now, administers the Policy Survey, a series of closed-ended questions that cover the same topics - allowing for cleaner data and that is more usable than the previous question type.

On this page you will find links to all EAVS Comprehensive Reports, NVRA, UOCAVA, Data Interactives, State-by-State Briefs, and Statutory Overview datasets, codebooks, and survey instruments from 2004 - Present.

Exhibit
R-561



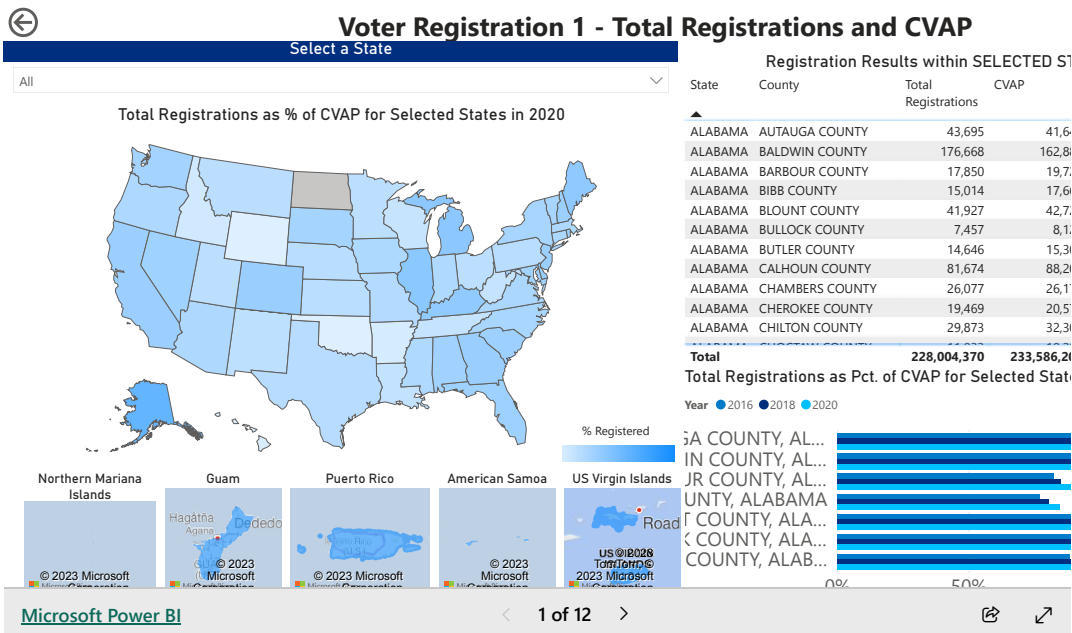
[View all videos](#)

Data Interactive

The Election Administration and Voting Survey interactive allows users to examine and compare data at both the state and local levels, as well as look at any combination of jurisdictions side by side. Our related [guide](#) provides details on how to use the tool.

- **2020 EAVS Data Interactive (use arrow button in the bottom right hand of the graphic below to expand)**
 - The data visualization tool below was built using Microsoft's Power BI and is publicly accessible to any user. The visualization tool has several "pages" covering different topics, with at least one page dedicated to every section in EAVS. Users can navigate from one page to another depending on the topic they are interested in. While in the selected page, users can navigate and choose to see the data from any state, territory, or county in the United States by making the corresponding selection in an interactive map or a dropdown menu. The users can also select the year they want to see the results for through a selection panel at the top of the page. Finally, all pages contain a text box with the corresponding description of the variables involved in that page. These descriptions are pulled directly from the EAVS and only slightly edited when appropriate to ensure clarity for the visualization tool user.

Click [here](#) to download the full PowerBI file.



EAVS Reports and Materials by Reporting Year

2024

- Planned Changes to 2024 EAVS

2022

- [2022 Election Administration and Voting Survey Report \(Full PDF Version\)](#)
- EAVS: [Data Codebook](#)
- Policy Survey: [Data Codebook](#)
- EAVS Datasets Version 1.0 (released June 29, 2023): [Excel](#), [Stata](#), [CSV](#), [SPSS](#), [SAS](#)
- Policy Survey: [Excel](#), [Stata](#), [CSV](#), [SPSS](#), [SAS](#)
- [2022 Election Administration and Voting Survey Instrument](#)
- [2022 Election Administration Policy Survey Instrument](#)
- The first public comment period for the 2022 Election Administration and Policy Survey closed on January 28, 2022. The second public comment period closed on April 4, 2022.
- [A Guide to the Election Administration and Voting Survey](#) (Updated July 20, 2022)
- [2022 EAVS Glossary](#)
- 2022 EAVS portal (<https://eavsportal.com/>)

2020

- [2020 Election Administration and Voting Survey Report](#)
 - To expand the usability of the EAVS report, the EAC has translated the Executive Summary into 20 languages. [These translations are available here.](#)
- 2020 [Data Interactive](#) (Download the PowerBI file) [How to Use Guide](#)
- EAVS: [Data Codebook](#)
- Policy Survey: [Data Codebook](#)
- EAVS Datasets Version 1.1 (released October 8, 2021): [CSV](#), [Excel](#), [SPSS](#), [Stata](#), [SAS](#)
- [Errata Note](#) (released October 8, 2021)

- EAVS Datasets Version 1.0 (released August 16, 2021): [CSV](#), [Excel](#), [SPSS](#), [Stata](#), [SAS](#)
- Policy Survey: [CSV](#), [Excel](#), [SPSS](#), [Stata](#), [SAS](#)
- The first public comment period for the 2020 Election Administration and Policy Survey closed on December 6, 2019. The second public comment period closed on March 12, 2020.
- [2020 Election Administration and Voting Survey Instrument](#)
- [2020 Election Administration Policy Survey Instrument](#)
- [A Guide to the Election Administration and Voting Survey](#)

State-by-State Data Highlights

[Alabama](#) | [Alaska](#) | [American Samoa](#) | [Arkansas](#) | [Arizona](#) | [California](#) | [Colorado](#) | [Connecticut](#) | [Delaware](#) | [District of Columbia](#) | [Florida](#) | [Georgia](#) | [Guam](#) | [Hawaii](#) | [Idaho](#) | [Illinois](#) | [Indiana](#) | [Iowa](#) | [Kansas](#) | [Kentucky](#) | [Louisiana](#) | [Maine](#) | [Maryland](#) | [Massachusetts](#) | [Michigan](#) | [Hampshire](#) | [New Jersey](#) | [New Mexico](#) | [New York](#) | [North Carolina](#) | [North Dakota](#) | [Northern Mariana Islands](#) | [Ohio](#) | [Oklahoma](#) | [Oregon](#) | [Pennsylvania](#) | [Puerto Rico](#) | [Rhode Island](#) | [South Carolina](#) | [South Dakota](#) | [Tennessee](#) | [Texas](#) | [U.S. Virgin Islands](#) | [Utah](#) | [Vermont](#) | [Virginia](#) | [Washington](#) | [West Virginia](#) | [Wisconsin](#) | [Wyoming](#)

2018

- [2018 Election Administration and Voting Survey Report](#)
 - [2018 EAVS and Policy Survey Online Appendices - Descriptive Tables](#)
- 2018 [Data Interactive](#) (External Webpage) [how to use guide](#) (Video)
- EAVS: [Data Codebook](#)
- Policy Survey: [Data Codebook](#)
- EAVS Datasets Version 1.3 (released July 15, 2020): [CSV](#), [Excel](#), [SPSS](#), [Stata](#)
 - [Errata Note](#) (February 18, 2020)
 - [Errata Note](#) (July 15, 2020)
- EAVS Datasets Version 1.2 (released February 18, 2020): [CSV](#), [Excel](#), [SPSS](#), [Stata](#), [SAS](#)
- EAVS Datasets Version 1.1 (released October 22, 2019): [CSV](#), [Excel](#), [SPSS](#), [Stata](#), [SAS](#)
 - [Errata Note](#) (October 22, 2019)
- EAVS Datasets Version 1.0 (released June 27, 2019): [CSV](#), [Excel](#), [SPSS](#), [Stata](#), [SAS](#)
- Policy Survey: [CSV](#), [Excel](#), [SPSS](#), [Stata](#), [SAS](#)
- [2018 Election Administration and Voting Survey Instrument](#)
- [2018 Election Administration Policy Survey Instrument](#) (formerly the Statutory Overview) [Download PDF](#)

State-by-State Data Highlights

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2016

- [2016 Election Administration and Voting Survey Report](#)
- 2016 [Data Interactive](#) (External Webpage)
 - EAVS 2016 - [How to Guide on Data Interactive](#)
- Datasets: [Excel](#), [SPSS](#), [CSV](#), [Stata](#)
- [Dataset Notes](#)
- [Data Codebook](#)
- [Survey Instrument](#)
- Statutory Overview Dataset: [AK - KS](#); [KY - NY](#); [OH - WY](#)
- [Statutory Overview Survey Instrument](#)

State-by-State Data Highlights

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2014

- [2014 Election Administration and Voting Survey Report](#)
- Datasets: [Excel](#), [SPSS](#), [DBF](#)
- [Dataset Notes](#)
- [Data Codebook](#)
- [Survey Instrument](#)
- Statutory Overview Dataset: [A-I](#), [J-N](#), [O-Z](#)
- [Statutory Overview Survey Instrument](#)

2012

- [2012 Election Administration and Voting Survey Report](#)
- NVRA Datasets: [Excel](#), [SPSS](#), [DBF Part I](#), [DBF Part II](#)
- [NVRA Data Codebook](#)
- UOCAVA Datasets: [Excel](#), [SPSS](#), [DBF part I](#), [DBF part II](#)
- [UOCAVA Data Codebook](#)
- Election Day Survey Datasets: [Excel – Sections C, D, E](#), [Excel – Section F](#), [SPSS](#), [DB](#)
- [Survey Instrument](#): NVRA, UOCAVA, and Election Day Survey
- Statutory Overview Dataset: [A-I](#), [J-N](#), [O-Z](#)
- [Statutory Overview Survey Instrument](#)

2010

- [2010 Election Administration and Voting Survey Report](#)
- NVRA Datasets: [Excel](#), [SPSS](#), [DBF Part I](#), [DBF Part II](#)
- [Texas Revised NVRA Data \(per the State's Request - XLS\)](#)
- [Illinois Revised NVRA Data \(per the State's Request - XLS\)](#)
- California's same day registration data for Alameda County (question A4a) is incorrect and, according to the state, no revised data is available. The number of same day registration applications in California is not 1,897,328 as previously reported. Readers of the report and users of California's data should exercise caution when interpreting and analyzing data for question A4a. Additionally, readers should note that the total number of same day registrations for the 16 states that received these types of applications is likely to be far less than 2,376,178 as previously reported. [Revised NVRA Table 5](#).
- [NVRA Data Codebook](#)
- UOCAVA Datasets [Excel](#), [SPSS](#), [DBF part I](#), [DBF part II](#), [DBF part III](#),
- [UOCAVA Data Codebook](#)
- Election Day Survey Datasets: [Excel](#), [SPSS](#), [DBF](#)
- [Survey Instrument](#): NVRA, UOCAVA, and Election Day Survey
- Statutory Overview Dataset: [A-M](#), [N-Z](#)
- [Statutory Overview Survey Instrument](#)

2008

- [2008 Election Administration and Voting Survey Report](#)
- NVRA, UOCAVA, and Election Day Survey Datasets: [Excel](#), [SAS](#), [DBF](#), [Kentucky](#), [Illinois](#) (The data submitted by Kentucky and Illinois were mistakenly excluded from the dataset.)

- [Survey Instrument](#): NVRA, UOCAVA, and Election Day Survey
- [Statutory Overview Dataset](#)
- [Statutory Overview Survey Instrument](#) (last section of Statutory Overview report)

2006

- [2006 Election Administration and Voting Survey Report](#)
- NVRA, UOCAVA, and Election Day Survey Datasets: [Excel](#)
- [Data Codebook](#): NVRA, UOCAVA, and Election Day Survey
- [Survey Instrument](#): NVRA, UOCAVA, and Election Day Survey

2004

- [2004 Election Administration and Voting Survey Report](#)
- NVRA, UOCAVA, and Election Day Survey Datasets: [Excel](#)
- [Survey Instrument](#) (Appendix 1): NVRA, UOCAVA, and Election Day Survey



U.S. Election Assistance Commission

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MAIL BALLOTS TRANSMITTED, RETURNED, COUNTED, AND REJECTED IN SELECTED STATE...

State	County	Transmitted	Returned	Counted	Pct. Counted	Rejected	Pct. Rejected
GEORGIA	EFFINGHAM COUNTY	6,600	4,938	4,903	99.3%	35	0.7%
GEORGIA	ELBERT COUNTY	2,667	2,051	2,038	99.4%	13	0.6%
GEORGIA	EMANUEL COUNTY	2,450	1,726	1,721	99.7%	5	0.3%
GEORGIA	EVANS COUNTY	1,080	848	845	99.6%	3	0.4%
GEORGIA	FANNIN COUNTY	4,497	3,427	3,426	100.0%	1	0.0%
GEORGIA	FAYETTE COUNTY	24,803	18,654	18,607	99.7%	47	0.3%
GEORGIA	FLOYD COUNTY	11,740	8,697	8,696	100.0%	1	0.0%
GEORGIA	FORSYTH COUNTY	40,744	30,840	30,673	99.5%	167	0.5%
GEORGIA	FRANKLIN COUNTY	2,704	2,033	2,032	100.0%	1	0.0%
GEORGIA	FULTON COUNTY	213,065	146,098	146,029	100.0%	69	0.0%
GEORGIA	GILMER COUNTY	4,418	3,478	3,471	99.8%	7	0.2%
GEORGIA	GLASCOCK COUNTY	378	257	257	100.0%	0	0.0%
GEORGIA	GLYNN COUNTY	13,883	10,221	10,178	99.6%	43	0.4%
GEORGIA	GORDON COUNTY	5,365	4,068	4,055	99.7%	13	0.3%
GEORGIA	GRADY COUNTY	3,364	2,247	2,238	99.6%	9	0.4%
GEORGIA	GREENE COUNTY	4,159	2,832	2,817	99.5%	15	0.5%
GEORGIA	GWINNETT COUNTY	165,988	124,464	123,669	99.4%	795	0.6%
GEORGIA	HABERSHAM COUNTY	5,629	4,246	4,246	100.0%	0	0.0%
GEORGIA	HALL COUNTY	27,862	21,602	21,533	99.7%	69	0.3%
GEORGIA	HANCOCK COUNTY	1,886	1,476	1,473	99.8%	3	0.2%
GEORGIA	HARALSON COUNTY	2,993	2,480	2,480	100.0%	0	0.0%
GEORGIA	HARRIS COUNTY	5,398	4,180	4,178	100.0%	2	0.0%
GEORGIA	HART COUNTY	3,667	2,601	2,591	99.6%	10	0.4%
GEORGIA	HEARD COUNTY	1,299	982	981	99.9%	1	0.1%
GEORGIA	HENRY COUNTY	40,573	29,327	29,126	99.3%	201	0.7%
GEORGIA	HOUSTON COUNTY	25,699	19,972	19,950	99.9%	22	0.1%
GEORGIA	IRWIN COUNTY	936	623	622	99.8%	1	0.2%
GEORGIA	JACKSON COUNTY	9,372	7,327	7,298	99.6%	29	0.4%
GEORGIA	JASPER COUNTY	1,911	1,482	1,482	100.0%	0	0.0%
GEORGIA	JEFF DAVIS COUNTY	1,239	823	822	99.9%	1	0.1%
GEORGIA	JEFFERSON COUNTY	2,430	1,713	1,713	100.0%	0	0.0%
Total		90,687,975	70,551,224	69,560,316	98.6%	560,828	0.8%

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County	Tot. Rejected	% Late	% No Signature	% No Witness Sign.	% Non-Match Sign.	% No EO Sign Ballot
ELBERT COUNTY	13	23.1%	23.1%		53.8%	
EMANUEL COUNTY	5	80.0%	0.0%		20.0%	
EVANS COUNTY	3	66.7%	33.3%		0.0%	
FANNIN COUNTY	1	0.0%	0.0%		100.0%	
FAYETTE COUNTY	47	10.6%	48.9%		40.4%	
FLOYD COUNTY	1	100.0%	0.0%		0.0%	
FORSYTH COUNTY	167	68.9%	13.2%		16.8%	
FRANKLIN COUNTY	1	100.0%	0.0%		0.0%	
FULTON COUNTY	69	73.9%	17.4%		8.7%	
GILMER COUNTY	7	57.1%	0.0%		42.9%	
GLASCOCK COUNTY	0					
GLYNN COUNTY	43	100.0%	0.0%		0.0%	
GORDON COUNTY	13	76.9%	15.4%		0.0%	

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2024

- [Planned Changes to 2024 EAVS](#)

2022

- [2022 Election Administration and Voting Survey Report \(Full PDF Version\)](#)
- EAVS: [Data Codebook](#)
- Policy Survey: [Data Codebook](#)
- EAVS Datasets Version 1.0 (released June 29, 2023): [Excel](#), [Stata](#), [CSV](#), [SPSS](#), [SAS](#)
- Policy Survey: [Excel](#), [Stata](#), [CSV](#), [SPSS](#), [SAS](#)
- [2022 Election Administration and Voting Survey Instrument](#)
- [2022 Election Administration Policy Survey Instrument](#)
- The first public comment period for the 2022 Election Administration and Policy Survey closed on January 28, 2022. The second public comment period closed on April 4, 2022.
- [A Guide to the Election Administration and Voting Survey](#) (Updated July 20, 2022)
- [2022 EAVS Glossary](#)
- 2022 EAVS portal (<https://eavportal.com/>)

2020

- [2020 Election Administration and Voting Survey Report](#)
 - To expand the usability of the EAVS report, the EAC has translated the Executive Summary into 20 languages. [These translations are available here.](#)
- 2020 [Data Interactive](#) (Download the PowerBI file) [How to Use Guide](#)
- EAVS: [Data Codebook](#)
- Policy Survey: [Data Codebook](#)
- EAVS Datasets Version 1.1 (released October 8, 2021): [CSV](#), [Excel](#), [SPSS](#), [Stata](#), [SAS](#)
- [Errata Note](#) (released October 8, 2021)
- EAVS Datasets Version 1.0 (released August 16, 2021): [CSV](#), [Excel](#), [SPSS](#), [Stata](#), [SAS](#)
- Policy Survey: [CSV](#), [Excel](#), [SPSS](#), [Stata](#), [SAS](#)
- The first public comment period for the 2020 Election Administration and Policy Survey closed on December 6, 2019. The second public