

Report of the Election Confidence Task Force

The 2020 election revealed dramatic weaknesses in Georgia’s system for conducting elections, and as a result, public confidence in the integrity of that system has been shattered.

Public confidence cannot be restored by pretending that these weaknesses do not exist. A problem must first be recognized before it can be solved.

A recent University of Georgia poll shows that a majority of Georgians strongly support additional election safeguards, including 74% who believe that voters must provide photo identification to request or cast absentee ballots.

Throughout the 2020 election cycle, the Georgia Republican Party has repeatedly expressed concern at the erosion of important safeguards which have exposed our elections to fraud. We have objected to the Secretary of State entering into a “compromise” legal settlement with the Democratic Party which weakened absentee ballot verification. We have sued to overturn “emergency actions” taken by the Secretary of State which dramatically increased the volume of absentee ballots and overwhelmed a verification system already “compromised.”

The position of the Georgia Republican Party, as articulated by our Chairman David Shafer, is crystal clear: “An unlawfully cast ballot cancels out a lawfully cast ballot and ‘suppresses’ a lawful voter as thoroughly as if that voter was physically turned away from the polls. We want every lawful vote counted and every unlawful vote rejected. We want the counting of votes to be done in the open and in accordance with law.”

The State Executive Committee of the Georgia Republican Party voted to create an Election Confidence Task Force to prepare a comprehensive package of proposals to restore confidence in our elections. The Chairman appointed Brad Carver to chair the Task Force. Other members of the Task Force included: Katie Frost, Brant Frost, Alex Kaufman, David Belle Isle, Brandon Phillips, Joel Natt, Alice O’Lenick, James Hall, Ginny Hall, Cathy Latham, Ron Hamm, Bethany Ballard, Michael Opitz, Betsy Kramer, Carmen Rice, Binford Minter, William Ligon, Michael Heekin, Suzi Voyles, Ray Smith, Courtney Kramer and John Garst.

This package of proposals was prepared by the Task Force and approved by the State Executive Committee. Our package covers a range of topics from voter list management, absentee by-mail voting, in-person voting, transparency in vote counting, participation by non-government entities, and other changes to ensure that ballots are cast and counted uniformly throughout Georgia’s 159 counties; leaving little room for doubt in our election process.

Voter Registration

1) Voter List Maintenance

- a) County election offices shall review all registered voters sixty (60) days prior to a Presidential Preference Primary Election, General Primary Election, or General Election. The registered voters shall be reviewed for residency information, eligibility status, felon status, and whether they have voted in the past two General Elections. A personalized notice shall be sent to all registered voters in question immediately following the review. The registered voter in question

shall return the notice within twenty-one (21) days of the postmarked date on said notice. The registered voter shall be removed from the voter roll if no response is received.

- b) County election offices shall provide reports to the Secretary of State containing a list of all registered voters who have been sent a personalized notice thirty (30) days prior to a Presidential Preference Primary Election, General Primary Election, or General Election. This full file must be published on the Secretary of State's website within ten (10) business days after the deadline. The report must show which registered voters replied to the notice, which registered voters were moved to inactive, and which registered voters were removed from the voter roll.
- c) If a county misses a report deadline twice consecutively, the Secretary of State shall assume the duties of the county election office for a minimum of two full election cycles, or four years, whichever is longer. In this event, county funding for election operations shall be transferred to the Secretary of State's office.
- d) Every registered voter shall be checked against the Georgia Bureau of Investigation felon list in addition to county criminal records.

2) Driver's License or Photo ID Issuance from Department of Driver Services

- a) The Department of Driver Services shall send a residency notification to the current county election office and the former county election office of residency if a voter moves from one county to another county within the state of Georgia. These notices shall be transmitted to the county elections office on the last business day of each month.
- b) The state "Motor Voter" law shall be amended to allow for opt-in voter registration (as opposed to opt-out voter registration) to reduce the number of ineligible voters accidentally registered.

3) Run-off Elections

- a) As laid out in our State Constitution, to be eligible to vote in a run-off election, a voter should be registered to vote on or before the registration deadline for the general, primary or special election. Any contrary federal court decisions should be appealed.

4) Third-Party Voter Registration Collection

- a) Any entities collecting voter registration on behalf of an individual must be registered with the Secretary of State's office. Each individual or organization shall be given a unique PIN number that must be submitted on every form collected along with the date the form was collected. The Secretary of State's office shall maintain a list of registered entities and the number of forms they have collected. These totals shall be reported monthly on the Secretary of State's website.

Absentee Ballots by Mail

1) Absentee Voting

- a) A registered voter is eligible to vote by mail-in absentee ballot if he/she proffers one of the following excuses:
 - i) The voter will be absent from the county on Election Day.
 - ii) The voter is ill or has a physical disability that prevents a trip to the polling place.
 - iii) The voter is a registered Georgia voter who is temporarily living outside the county (e.g., member of the armed forces, employed outside of the United States, college student, or spouse or child of such a person).
 - iv) The voter is an appointed election officer or poll watcher at a polling place other than his/her assigned polling place.
 - v) The voter works a required shift of ten (10) or more hours which coincides with polling hours.
 - vi) The voter is a caregiver for a family member who is confined to the home.

- vii) The voter is incarcerated but otherwise eligible to vote.
- a) A witness signature shall be required on the ballot envelope to verify the identity of the voter.
- b) A unique identification number shall be created for each absentee ballot to enhance the security of the ballot. Such identification number may be used to track down and reject a ballot with a rejected signature.
- c) A Driver's License number or Photo ID number shall be required for absentee ballot applications.
- d) Absentee Ballot Deadlines:
 - i) All absentee ballot applications must be received no later than 5:00 P.M. on the second Friday prior to Election Day.
 - ii) Absentee by mail ballots must be received no later than 7:00 P.M. on Election Day.

2) Military and Overseas Ballots (UOCAVA)

- a) Military
 - i) Military ballots may be emailed back to the Secretary of State's office. The Secretary of State's office shall electronically transmit the ballot to the voters' respective counties.
 - ii) This ballot shall include:
 - (1) Oath
 - (2) Copy of Military ID
 - (3) Receipt of Ballot from Secretary of State.
- b) Overseas Ballots
 - i) Overseas ballots may be emailed back to the Secretary of State's office. The Secretary of State's office shall electronically transmit said ballots to respective counties.
 - ii) This ballot shall include:
 - (1) Copy of U.S. Passport
 - (2) Receipt of Ballot from Secretary of State

3) Drop Boxes

- a) Drop Boxes shall either:
 - i) Be eliminated **or**
 - ii) Have the following chain of custody at the expense of the county:
 - (1) Ability to scan ID or Passport
 - (2) Print Receipt
 - (3) Log Chain of Custody
 - (4) Ability to take only/insert one ballot per ID scan
 - (5) Drop Boxes can only be at Early Vote Locations and must adhere to the same hours as the Early Vote Location.

4) Third-Party Solicitation of Absentee by Mail Application

- a) Eliminate third party solicitation of absentee by mail applications
- b) Prohibit state or county governments from soliciting absentee by mail applications
- c) Violations: \$10,000 per violation

5) Ballot Curing

- a) Eliminate third party ballot curing. It is invasive of privacy and a vehicle for harvesting.

6) Accounting of Absentee by Mail

- a) All county election offices shall report the following to the Secretary of State's office in a statewide standardized format before 9:00 P.M. every day within sixty (60) days of Election Day:
 - i) The number of absentee ballot applications requested;
 - ii) The number of absentee ballot applications mailed;
 - iii) The number of absentee ballots applications returned;

- iv) The number of absentee ballots mailed to voters;
 - v) The number of absentee ballots returned;
 - vi) The number of absentee ballots that have been checked for signature verification;
 - vii) The number of absentee ballots sent to the signature review panel overseen by the voter review panel for political party observation and challenge opportunities;
 - viii) The number of absentee ballots that have been rejected at the voter review panels;
 - ix) The number of absentee ballots that have been accepted at the voter review panels;
 - x) The number of absentee ballots tabulated;
 - xi) The number of absentee ballots outstanding (after tabulation begins);
 - xii) The number of “curable” absentee ballots;
 - xiii) The number of absentee ballots that were cured;
 - xiv) The number of spoiled absentee ballots;
 - xv) The number of canceled absentee ballots;
 - xvi) The number of rejected absentee ballots;
 - xvii) Notification to the Secretary of State’s office when absentee ballot tabulation and counted is completed;
- b) Counties shall submit:
- i) An accurate count of outstanding absentee by mail ballots.
 - ii) A count of outstanding provisional ballots.
 - iii) A count of UOCAVA ballots every hour on the hour during tabulation hours.
- c) Publishing Accounting of Absentee Ballots
- i) Failure to publish and transmit copies of the Absentee Ballot Accounting prior to certification shall prevent the county from certifying said county’s election results.
 - ii) Counties shall have until two Fridays prior to the election to publish and transmit an accounting of absentee/emergency/provisional ballots to the Secretary of State.
 - iii) If a county does not submit the requirement information, on the following Monday, the Secretary of State and the State Board of Elections shall visit said county for investigation of why accounting could not be completed.

In-Person Voting

- 1) Formula for poll watchers for large precincts or voting areas pursuant to O.C.G.A. § 21-2-408**
 - a) A minimum of one poll watcher shall be allowed for every four (4) ballot marking devices during the early voting period and on Election Day. A minimum of one poll watcher shall be allowed for every four (4) ballot scanners. A minimum of one (1) poll watcher shall be allowed for every eight (8) check-in tables.
- 2) Mobile Voting Units Clarify the definition of “precinct”; Determine use, location, and publicity of unites pursuant to O.C.G.A. §§ 21-2-260-21-2-270**
 - a) Mobile units shall be restricted and used only in the event of a natural disaster on Election Day. Mobile units shall only be used if the physical structure of the voting location is damaged and rendered unusable. If mobile units are available in case of natural disaster/power outage, they must be available to all counties. [Amend code to include a definition of an emergency or a FEMA response. Current emergency order should not qualify for a reason to use a mobile voting unit].
- 3) Early Voting**
 - a) Establish Uniform Early Voting days and hours for every county mandating the same number of days and hours for every county.

- b) Establish equitable early voting locations statewide: A voter should not have to drive more than 30 minutes to arrive to an early voting location.
 - c) Require one Saturday open for early voting in all counties.
- 4) Ensuring voter confidence in In-Person Voting Technology pursuant to O.C.G.A. §§ 21-2-300, 21-2-301, and 21-2-310 to 21-2-379.26)**
- a) **Alternate in-person voting options: "scantron" and other options with paper ballots (21-2-280 to 21-2-294)**
 - i) Establish a combination of Unisyn Voting Solutions and Elections Systems and Software (ES&S) 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). Georgia should move to a manual paper ballot and optical scanning voting process while retaining the current KnowInk poll books, Dominion precinct and mail ballot scanners, and the central server. However, Georgia should return touchscreens, dedicated printers, and batteries for each ballot marking devices, retaining only enough for federally required accessible units for voters with disabilities.
 - b) **Confidence boosting measures if the Dominion system cannot be replaced**
 - i) Allow for paper ballot option for all in-person voting. Each ballot will have a unique serial number associated with each ballot.
 - ii) Eliminate QR Code and replace with optical scanning device. Scanners should not use Dominion software.
 - iii) State of Georgia should use a software that is open source, auditable, transparent and licensed to the State of Georgia.
 - iv) No contracts with current vendors should be renewed.
- 5) Establish "No Solicitation Zone" (O.C.G.A. § 21-2-413)**
- a) Solicitation includes distributing food, drink, or anything of value, which are already illegal as inducements to vote. (Distribution of things of value to induce voting is widely practiced and enforcement of the prohibition is sporadic or nonexistent.)
- 6) Polling Locations**
- a) Counties shall have sixty (60) days to announce polling locations for early and Election Day voting locations.
 - b) Polling locations shall be reported to the Secretary of State. The Secretary of State shall publish all polling locations forty-five (45) days before the election.
 - c) Upon the passage of sixty (60) days, no polling location may be changed, nor can new polling locations be added unless there is
 - i) A state of emergency,
 - ii) Damage to the physical structure of the polling location, or
 - iii) Obstruction preventing entry to the polling location.

Transparency

- 1) Observing Signature Verification and Duplication of Ballots**
- a) Establish a standardized statewide process that protects voters' personal information to verify signatures with human oversight, including one representative from each major party. Party observers may challenge a signature, whereupon the challenged ballot shall be transferred to a voter review panel.
 - b) Change e-net to protect social security numbers.
 - c) Poll watchers shall be deputized and must sign an affidavit effectively forbidding them from disclosing personal information.

- d) The poll watcher shall be individually liable for violations of personal.
- e) The ballot duplication process shall include one representative from each major party to observe.

2) Enforcement of O.C.G.A. § 21-2-408

- a) On-duty Superior Court Judges shall remain on standby beginning at the commencement of early voting and lasting until certification.
- b) Secretary of State inspectors shall be authorized to enforce observation requirements at the county level. An inspector may overrule county election officials to ensure legal observation with proper representation from each major political party.
- c) Pursuant to O.C.G.A. § 21-2-412, at least one Superior Court Judge in each judicial district must be available each day during the election until certification in order to further ensure enforcement of O.C.G.A. § 21-2-408.

3) Allow Political Parties to Issue Poll Watcher Badges

- a) State and county parties shall be responsible for the creation of a poll watcher badge. Templates of the badge will be provided to the Board of Elections at the same time poll watcher names are provided.

4) Poll Watcher Credentialing

- a) The county or state party organizations may appoint any kind of poll watcher or observer not to be limited to poll watching, absentee by mail tabulation center, vote review panel, audit, or recount (universal appointment, as opposed to the current confusing set of categories).
- b) Political parties may send poll watcher submissions via a standardized spreadsheet with a cover appointment letter instead of individual appointment letters for each poll watcher.

5) Poll watchers may observe any polling location within the county

- a) The Poll Manager shall check the ID of poll watchers
- b) Political parties shall be allowed to have poll watchers credentialed that will not be limited by precinct as long as there are no more than two poll watchers per party at any given voting location at any given time.
- c) The statewide poll watcher(s) present at the polling location shall not be included in the two-poll watcher limit.

6) Signature Review Panel

- a) Signatures that shall be reviewed by a panel with each major party having a representative along with an election official for the purpose of breaking ties (same as vote review panel).

Non-Government Entities

1) Non-Government Grants for Elections

- a) Any elections grant from a non-government entity shall be received by the State Elections Board and distributed statewide in a uniform manner.
- b) Any elections grant program shall be approved by both the State House Committee on Governmental Affairs and the Senate Committee on Government Oversight.
- c) No grant money may be used for personnel (i.e., raises).
- d) No grant money may be allocated for items already approved by the county budget.
- e) No money may be used for items not allowed by law (e.g., mobile voting locations).
- f) Accounting of money received and spent must be reported to the Secretary of State when said money is allocated. Any remaining funds must be accounted for and surrendered to the state.

Process/Statute

1) Jungle Primaries

- a) So-called jungle primaries should only occur when an office must be filled within one hundred eighty (180) days of the General Election. If a vacancy occurs more than one hundred eighty (180) days from Election Day, the state should hold a special primary, followed by a special election.

2) Penalties for County Incompetence or Legal Infractions

- a) The Board of Elections shall appoint a new head of the county elections office and give said appointee sufficient powers to temporarily take on, at the offending county's expense, the management of a county's elections when said county has failed to efficiently, competently, or legally manage their county elections.

3) Chain of Custody

- a) Adopt Alabama's chain of custody rules for absentee by mail (see AL Code § 17-11-12).

4) Code of Ethics for Poll Workers/Watchers

- a) Promulgate specific rules and guidelines for poll workers and poll watchers, including, but not limited to, penalties to deter infractions, lack of transparency, and fraud. Georgia shall incorporate AL Code § 17-8-7 verbatim into the Official Code of Georgia. No permanent elections employee shall serve on a campaign or political organization when the campaign or political organization is promoting a candidate on the ballot. No seasonal employee (e.g. poll managers, poll works) may be hired if an immediate family member of a candidate or an employee of a candidate's campaign.

5) Unanimous Certification

- a) In the event that the county certification is not unanimous, the Secretary of State or State Elections Board shall investigate (1) the underlying eligibility of the voters that cast their ballots, (2) the conduct of the election, and (3) the reports of the dissenting board members. If the Governor objects to a contested certification, he shall call the Georgia General Assembly into Special Session for the limited purpose of certifying the results or calling for a new election.

6) Third-Party Observers

- a) Only political parties may have credentialed observers in any circumstances in conducting elections in Georgia.
- b) No foreign or other third-party observers may be credentialed for any purpose (e.g. United Nations, ACLU, Carter Center).

7) Elections Authority

- a) The Elections Division shall be moved from the office of the Secretary of State to the State Elections Board.
- b) The State Elections Board shall hire an Executive Director to oversee the Elections Division and supervise elections.
- c) The State Elections Board shall elect its own Chairman to a two-year term, beginning the January after the preceding election.
- d) These changes should take effect as soon as practicable.

Legal

1) Software Audits

- a) It has been determined that the company conducting software audits for the Secretary of State has the software provider, Dominion, as its primary client. This is a conflict of interest.
- b) Only a fully independent technology company may be utilized to audit the software.
- c) All voting and ballot counting machines shall be tested for rogue software and proper function to instill greater voter confidence.

2) Audits and Recounts

- a) No audit or recount may be conducted without 72 hours written notice to the candidates and political parties. The Secretary of State shall mandate the days and hours in which the recount is to begin and when the recount must conclude. Forty-eight (48) hours prior to the commencement of the recount, counties shall notify the Secretary of State of the location where the audit or recount will occur. The Secretary of State shall post locations twenty-four (24) hours prior to the audit or recount commencement. Audit and recount processes shall be open to public viewing.

3) Open Records Requests

- a) Open Records requests for election-related inquiries must be processed within three (3) business days of the request. If more than three (3) business days are required to process a request, a written explanation shall be submitted to a judge in order to justify any such delay.

4) Employee to Contractor Pipeline

- a) The hiring of an employee of the Secretary of State's Office by a vendor or consultant to that office shall be prohibited for a period of at least twenty-four (24) months after said employee ceases employment with the Secretary of State.

5) List Maintenance

- a) The Secretary of State shall cross-reference the voter registration list with the eligible jurors list and those citizens who have provided affidavits that they are not eligible jurors.
- b) At least quarterly, the Secretary of State shall compare Georgia's voter list to the voter lists of other states in order to discover voters registered in multiple states.

6) Vote Challenges

- a) In an action brought pursuant to O.C.G.A. § 21-2-230, the voter shall cast a "provisional" ballot until residency is determined.
- b) The county Board of Elections shall be required to hold a probable cause hearing within ten (10) days or some other statutorily defined time frame.
- c) Evidence of a permanent change of address filed by a voter with National Change of Address (NCOA) shall be sufficient in and of itself to show probable cause.
- d) A notice shall be sent to the address that the current voter is registered at and return mail shall be used as evidence in such a hearing. The notice shall be required to be sent within ten (10) days of a challenge being filed in writing with no exceptions.
- e) Statutory guidelines shall be enacted with regard to the evidence necessary to sustain a challenge, specifically to include affidavits from current residents who live at the location of the challenged voter, NCOA records, utility service move records, homestead exemptions in other counties or states, drivers licenses or voter registration in other states.
- f) Any challenged voter shall sign an affidavit of permanent Georgia residency, specifying the actual residence, before the challenged voter may cast a vote.
- g) In the event that a voter does not have proof of Georgia residency, – a provisional ballot may be cast and the voter be given a chance to "cure" that ballot in the manner prescribed by GA law.

- h) Failure of a county elections superintendent to comply with O.C.G.A. § 21-2-229 and 230 shall be considered an illegal act with penalties.
- i) Should a county refuse or fail to comply, the matter shall automatically be sent to the State Board of Elections for adjudication.
- j) Counties shall have the right to ask the Secretary of State for a “reasonable” extension if they are unable to comply with a deadline.
- k) There shall be no arbitrary limit to the number of voter challenges.
- l) Any challenger and their agents under O.C.G.A. §§ 21-2-229 and 21-2-230 shall have immunity from any separate causes of action against the petitioner.

7) Article 13 Election Contest

- a) Any party making a bona fide Article 13 election contest shall have full immunity and there shall be no separate cause of action against the petitioner or the agents of the petitioner.

8) Safe Harbor

- a) The so-called Safe Harbor provision shall not render any pending election challenges moot.

9) Third-Party Intervenor in Election Contests

- a) Third parties shall be barred from intervening in election contests. Only the political parties, the candidates and their respective campaigns shall have standing.

10) Service

- a) Service by process server or overnight statutory mail upon the Secretary of State shall constitute proper service upon the office of the Secretary of State, the State Elections Board, and the Secretary in his official capacity.

11) Election Challenge Process

- a) Upon filing with the Clerk of Courts, the parties shall serve a copy of the petition to the Chief Judge of the Circuit, and, upon twenty-four (24) hours of receipt, the Chief Judge shall issue an order notifying the selection of the judge. Failure to comply with this statute shall be immediately appealable to the Supreme Court of Georgia for the Chief Judge of Georgia Supreme Court to assign an eligible circuit court judge to preside. There shall be no time delay due to remitter or lack thereof. For presidential election contests, the Supreme Court of Georgia sitting *en banc* shall have original jurisdiction.

12) Discovery

- a) A court shall rule on a motion for discovery within twenty-four (24) hours.

13) Presidential Election Challenge

- a) Because of the deadlines set forth in the United States Constitution, the Georgia Supreme Court shall have original jurisdiction on Presidential election challenges.
- b) If the Georgia Supreme Court (or the courts) fail to timely render a judgment, the Governor shall call the General Assembly into session for the sole purpose of determining the slate of electors to be certified by the State. If the General Assembly fails to select electors by the counting of electoral votes in a joint session of Congress, Georgia shall not have any electors.

14) Electronic Devices

- a) No poll workers shall use their personal electronic devices (cell phones, computers, tablets, etc.) for any election activities.

15) Investigative Authority of the Georgia Bureau of Investigation

- a) The Georgia Bureau of Investigation shall have independent, enhanced authority to initiate election integrity investigations. Currently, under Georgia law, the GBI may only initiate an investigation without being asked by an official.

16) Election Monitoring

- a) The Secretary of State shall allow for videotaping of all election activities except for voters casting their ballot.

17) Additional Remedies

- a) Should it be found that there was fraud, misconduct, or irregularities enough to place the results of the election in doubt, there may be a cause of action in relation to financial damages and attorney's fees.

