



# DOUGLAS COUNTY BOARD OF ELECTIONS & REGISTRATION

MILTON D. KIDD, DIRECTOR

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## BOARD MEETING MINUTES

12 May 2022

*Board members present:* Myesha Good, Maurice Hurry, Michele Crochetiere, Kevin Evans, and Bob Proctor

*Staff present:* Milton Kidd, Constance Bowen, Tesha Green, Philbert Smith, Malcolm Unvala

*Board of Elections legal counsel present:* Aaron Watson

*Citizens present:* Ingrid Landis-Davis

Call to Order

Mrs. Good called the meeting to order at 5:00PM

### Approval of Agenda

Mrs. Good called for a motion to approve the agenda. Mr. Proctor made a motion and Mr. Evans seconded. The agenda was approved.

### Approval of Minutes for April 14, 2022 Monthly Board Meeting and April 29, 2022 Special Called Hearing

Mrs. Good called for a motion to approve the minutes for the April 14, 2022 board meeting and April 29, 2022 board meeting. Mr. Hurry made a motion and Mr. Evans seconded. The minutes were approved.

### Citizen Comment

Mr. Kidd informed the board that Mrs. Landis-Davis signed up to speak at this hearing.

Mrs. Landis-Davis began by thanking the members of the board as well as staff for their contributions to the community and elections process. She stated that it was the opinion

of many in Douglas County that the statements and comments from the Judge from the seventh circuit was wrong and politically motivated.

### Felon Hearings

Mrs. Bowen announced that 16 felon letters were mailed out and none were returned. These notices were the ones not mailed out in time for the previous meeting.

### Office Operations report

Mr. Smith reported that the office began Logic and Accuracy Testing on April 18<sup>th</sup>. He explained that Logic and Accuracy Testing is the testing of voting equipment to ensure accuracy. This process is performed on the equipment used during advanced voting as well as all election day equipment. Mr. Smith stated that he is currently in the process of organizing for Election Day and addressing any questions from poll managers.

Mr. Unvala stated that Logic and accuracy Testing was also performed on the equipment used during absentee by mail voting. The office submitted notifications and advertisements regarding Logic and Accuracy testing as well as training for both political parties that participate in vote review panels. The office began early processing of absentee by mail ballots yesterday (11 May) at 11am. He stated that the opening of ballots was displayed at the courthouse and early scanning is viewable by the public at the courthouse. The Board of Elections will continue to open and process absentee ballots up through Election Day. He noted that note the deadline to turn in an application for an absentee by mail ballot is 13 May and that at the time of the meeting, the office has accepted and processed 870 absentee by mail applications.

Mrs. Green reported that Advanced Voting has started at seven locations

- Deer Lick Park
- Dog River Library
- Old Courthouse
- Boundary Waters Activity Center
- Woodie Fite Senior Center
- Lithia Springs Senior Center
- Douglas County Courthouse

She announced the hours of operation;

- Monday – Friday – 8:30am until 6:00pm
- Saturday Voting (7 May and 14 May) 9:00am until 5:00pm at the following locations
  - Dog River Library
  - Woodie Fite Senior Center
  - Deer Lick Park

○ Douglas County Courthouse

Mrs. Green announced a robust turnout, noting that 4200 voters have already turned out at the time of the board meeting. The office has been recruiting poll workers and drivers with a final training on May 18<sup>th</sup>.

Mrs. Good asked Mrs. Green how citizens can reach out to work as an election day poll worker or driver.

Mrs. Green explained that they can reach her directly at (770) 920-7412. She explained that interested parties can use the general “poll worker” application on the county’s website under the “Human Resources” tab.

Mrs. Good asked the office staff how the early voting process has been proceeding overall.

Mr. Kidd announced no major issues or concerns and noted that this is the first election with seven advanced voting locations for the full period.

Mr. Proctor asked Mrs. Green about the May 18<sup>th</sup> training.

Mrs. Green informed the Board that there are two trainings;

- 8:00am until 12:00pm
- 1:00pm until 5:00pm

Mrs. Green also noted that Friday, May 20<sup>th</sup> will be the last day to vote early.

Mr. Hurry asked for clarification regarding the early voting numbers.

Mrs. Green confirmed again that 4200 voters had voted early in person.

Ms. Crochetiere offered her thanks for the opportunity to attend various trainings and L&A sessions. She thanked the staff for their efforts.

Ms. Crochetiere asked about the absentee by mail drop boxes and what the plan was regarding them going forward.

Mr. Kidd explained there is current litigation related to the boxes and informed the Board that they will not be physically removed at this moment until there is a court decision.

Mrs. Good thanked Ms. Crochetiere for her feedback.

Old Business

Mr. Kidd stated that he was previously asked by the United States Justice Department to provide information regarding the impact and restrictions of SB 202 on Douglas County voters. He noted that it was originally requested voluntarily, but due to the Board not making a motion, Mr. Kidd was subpoenaed to provide the testimony. Mr. Kidd explained that Douglas County was not named as a party during this testimony, and he only provided documentation of the electoral process.

### New Business

#### **Ethics complaint from Ingrid Landis-Davis and Douglas Democrats against Judge Susan S. Camp**

Mr. Unvala read the complaint filed in the Board of Elections office by Douglas Democrats' chair Ingrid Landis-Davis

*Attached is a document that I received from Douglas County in response to my Open Records Request for correspondence from Judge Camp or those representing her to the Board of Elections regarding the Challenge that she filed against Attorney Sylvia Wayfer Baker. To my chagrin, I noted that most of the requests came from a County employee, Caron Ewing, who is a Magistrate Court Judicial Assistant.*

*To my knowledge, it is against regulations for a taxpayer funded government employee to provide electioneering services to an elected public official, during work hours and using county equipment.*

*After reviewing the trove of emails sent to the Board of Elections by Caron Ewing on behalf of Judge Susan Camp, it provides a clear pattern of violations of the use of a county employee's business hours time for the purpose of getting re-elected and electioneering. See highlighted times and dates of correspondences on pages 6,7,8,13,16,19,39,44. Also, during the virtual BOER Challenge hearing on March 29, 2022, Judge Susan Camp and Atty. Scott Camp appear to be in County Courthouse offices and engaging Court staff to assist with the procedures. ...*

*Therefore, we are logging this complaint with the office of the Board of Elections & Registration against Chief Magistrate Judge Incumbent Susan Camp for violations of ethics by the improper use of County Court staff and facilities. We request that the BOER refer this matter to the Georgia Transparency and Campaign Finance Commission.*

Mr. Kidd stated that the Board of Elections is not the agency that deals with these types of complaints and this complaint was forwarded to the Georgia Transparency and Campaign Finance Commission.

**Challenge of elector Scott K Camp to the qualification of Ryan C. Williams to seek and hold the office of Chief Magistrate Judge of Douglas County**

Mr. Unvala read the challenge letter:

*It is my understanding that you have listed Ryan Christopher Williams as a candidate in the upcoming Primary election for the Democrat Party nomination for Chief Magistrate of Douglas County. If I am wrong, and he is not a candidate for such nomination in the Primary election being held May 24, 2022, please notify me of that fact right away.*

*For the reasons listed below, I would like to make a challenge, pursuant to O.C.G.A. §21-2-6(b). to the candidacy of Ryan Christopher Williams for Chief Magistrate. I recognize that said Code section requires that such a challenge be made "within two weeks after the deadline for qualifying." Because the deadline for qualifying ended at 12:00 Noon on March 11, 2022, the electors of Douglas County had until March 25, 2022 to file a challenge to Mr. Williams' candidacy. O.C.G.A. §21-2-153(c)(1)(A). Because he did not qualify for the primary election until April 29, 2022, the electors of this county have been deprived of their statutory right to challenge his qualification to seek and hold the office which he now seeks. Nonetheless, and out of an abundance of caution, I am hereby notifying you that, as an elector of this county, I am hereby making a challenge to the candidacy of Ryan Christopher Williams for the reasons stated below.*

*Additionally, I hereby move and request that you exercise your authority granted by O.C.G.A. §21-2-6(b) to challenge the qualification of Mr. Williams to seek and hold the office of Chief Magistrate Judge of Douglas County. As you know, the Board of Elections and Registration has the right to so challenge the qualifications of any candidate at any time prior to the election of such candidate. O.C.G.A. §21-2-6(b).*

*As members of the Board of Elections and Registration, you have the legal duty and the sworn obligation to ensure that each election is conducted pursuant to the provisions of the Georgia Election Code. Ensuring that we have free and fair elections is your solemn responsibility, and you can do so only by protecting the voters and the election process from actions which do not comply with the requirements of the law.*

*Mr. Williams is not qualified to seek and hold the office of Chief Magistrate, he is not entitled to be a candidate on the primary ballot, he is not entitled to be the Democrat Party's nominee in the general election for the office of Chief Magistrate, it is not lawful to list him as a candidate for the Democrat Party nomination, and it is not lawful to place him on the general election ballot as the Democrat Party's nominee for Chief Magistrate, because:*

- 1. He has not lawfully become a candidate to be the Democrat Party's nominee for the office of Chief Magistrate, as he has never lawfully*

*qualified for such candidacy pursuant to the requirements of the Georgia Election Code (Chapter 2 of Title 21 of the Official Code of Georgia). Without having lawfully qualified, he cannot become the party's nominee, and therefore cannot be on the ballot as such;*

- 2. He did not qualify as a candidate for said nomination pursuant to the terms of I.C.G.A. §21-2-150 through O.C.G.A. §21-2-158 as is required of a person to become a candidate for any given public office;*
- 3. He did not timely pay the qualifying fees for the office he now seeks;*
- 4. He did not timely withdraw as a candidate for the office of Douglas County Superior Court Judge;*
- 5. He cannot be a candidate for both Superior Court Judge and Chief Magistrate Judge in a primary, election, or special elections to be filled at one election or special election.*
- 6. The Democrat Party has failed to lawfully qualify and/or certify Mr. Williams as either a candidate for its nomination or as a candidate for the general election. Such action must comply with the Georgia Election Code, and the party has failed to comply with the law in that regard*

*The Democrat Party and its candidates should be required to comply with the law, just as all other parties and their candidates must do. It is not fair or just to have two sets of rules. There must be only one set of rules, and those rules should apply the same to everyone.*

*I have attached as Camp Exhibit 1 (three pages), which is an open records request I was required to make for the election records referenced therein. The attachment is included with the request. The county's response to the open records request, including the attachments thereto, is attached hereto as Camp Exhibit 2 (twenty-three pages). These exhibits shall be identified and included as evidence in any hearing the Board may have regarding this issue. Additionally, please note below that I have a new e-mail address, which is different from the one you have previously used.*

Mr. Kidd stated that he felt the challenger failed to take into account the provisions in the O.C.G.A that allow for substitution candidates as cited in §21-2-134. Mr. Kidd noted that The Democratic Party of Douglas County did submit an official letter stating that Ryan Williams was withdrawing his candidacy for Superior Court in order to accept the Democratic nomination for Chief Magistrate Judge and this information was also presented in the amendments offered by the challenger. Mr. Kidd informed that legal counsel has advised scheduling a special hearing next week for this challenge.

Mrs. Good asked for further clarification on why a special hearing is being advised.

Mr. Kidd informed the board that §21-2-134 outlines procedures regarding qualification challenges and noted that counsel was present in the hearing.

Attorney Watson explained to the board that there was no discretionary power afforded the Board regarding whether or not a hearing is held.

Mr. Proctor asked Mr. Kidd if he could provide a specific line from §21-2-134 regarding disqualification.

Mr. Kidd advised referring to §21-2-134 (C) regarding a substitute nomination. Mr. Kidd also referred back to the 29 April special hearing approving Ryan Williams' substitute nomination.

Mr. Proctor noted that on 29 April, he had asked for further clarification on whether or not Ryan Williams was in fact qualified. Mr. Proctor stated that counsel advised him that such an assumption should not be made.

Mr. Kidd reiterated that Ryan Williams' and the Democratic Party of Douglas County did comply with qualification requirements and timeframes regarding a substitute nomination.

Mr. Proctor stated that he did not want to imply that such a decision was an approval of the nomination.

Mr. Hurry asked Mr. Kidd if the documentation required to remove Ryan Williams' name from the 24 May ballot for Superior Court had been filed.

Mr. Kidd stated that Ryan Williams had withdrawn his candidacy for the Superior Court seat.

Mr. Kidd advised the Board to set a date for that special hearing.

Mrs. Good scheduled the hearing for 10AM on 18 May 2022. The board members agreed unanimously.

Mr. Kidd informed the board that all parties would be informed as well as the general public.

#### Board Member Concerns

No concerns were raised

#### Adjournment

The meeting was adjourned at 5:35

X \_\_\_\_\_  
Myesha Good

X \_\_\_\_\_  
Maurice Hurry

X \_\_\_\_\_  
Michele Crochetiere

X \_\_\_\_\_  
Kevin Evans

X \_\_\_\_\_  
Bob Proctor