
From: Fulton County Georgia <fultoncountyga@mycusthelp.net>
Date: Tuesday, March 17, 2020 at 11:41 AM
To: AO Records <records@americanoversight.org>
Subject: [Ext][Records Center] Open Records Request :: R000837-020720

--- Please respond above this line ---

OFFICE OF THE COUNTY ATTORNEY

141 PRYOR STREET, S.W.
SUITE 4038
ATLANTA, GEORGIA 30303

STEVEN ROSENBERG
OPEN RECORDS CUSTODIAN

TELEPHONE (404) 612-0259
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Dear Requester Evers,

If you log in now, you should be able to retrieve them.
Steve Rosenberg
Open Records Custodian

To monitor the progress, update this request, and retrieve responsive records, please log into the [Fulton County Open Records Center](#).

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Provisional Ballot Station

Provisional Ballot Codes

- OP - Out of Precinct
- PR - Person believing that he or she has timely registered to vote but whose name does not appear on electors list
- PI - Registered voter who does not have photo ID to present at time of voting
- IR - Voter who registered for first time by mail but did not provide required identification when appearing to vote. These voters can provide additional forms to provide proof of ID.
- EH - Voter who is casting a ballot during extended poll hours as a result of a court order (applies to federal elections only)
- X - Voter who registered for the first time in Georgia but citizenship not verified
- Other
 - V - Person who did not provide missing information to complete application

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Provisional Ballot Station

Defining the Provisional Ballot Types

OP – Out of Precinct

Person whose name does not appear on electors list for your precinct. If a person is not on your Electors List but is showing registered in another precinct, inform the voter of their assigned precinct and then let the voter decide if they can go to their assigned precinct, or vote a provisional ballot.

PR – Not Registered in Your County

Person whose name is not on the Poll Pad, the supplemental list, or the paper back up list. If a person is not listed on Poll Pad, the supplemental list, or the paper back up list, they may be issued a provisional ballot.

Provisional Ballot Station

Defining the Provisional Ballot Types

IR – ID Required

Voter who registered for the first time by mail but did not provide required identification and does not have ID when voting. If a voter who registered for the first time in Georgia by mail and does not supply the proper identification, they will be listed as an IDR voter on the Electors List. If the voter cannot supply the appropriate identification the voter must be issued a Provisional Ballot. Please note that an IDR voter is allowed to show other forms of identification in addition to the listed forms of photo ID.

PI – Provide ID

Voter who does not have one of the required forms of photo ID. If a voter does not have the appropriate photo identification, he or she should be issued a provisional ballot and instructed that the ballot will be counted only if the voter provides the proper identification to the registrar's office not later than three days following the day of the primary, election, or runoff.

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Provisional Ballot Station

Defining the Provisional Ballot Types

EH – Extended Hours

Voter who is casting a ballot during extended poll hours as a result of a court order (applies to federal elections only). This provision only applies when there is a federal race on the ballot. In the event that the time for closing the polls at a polling place is extended by court order, all electors who vote during such extended time period shall vote by provisional ballot only. The Elections Superintendent will notify you in the event this occurs.

CHAL – Challenged

If an elector has been challenged and appears at the polls to vote prior to the challenge hearing or decision, the elector shall be permitted to vote by casting a challenged ballot on the same type of ballot used for provisional ballots. Use the code "CHAL."

Provisional Ballot Station

Defining the Provisional Ballot Types

X – Potential Non-Citizens

If an elector is marked on the electors list as a potential non-citizen and the voter does not have a proof of citizenship document with them, a provisional ballot should be issued. On the Provisional Numbered List of Voters and the salmon outer envelope, CHAL should be recorded.

Other - V – Pending – Missing Information

If an elector is pending due to an incomplete voter registration, the elector can vote by casting a provisional ballot. This voter type should always complete a provisional voter registration application to complete their registration. This type of provisional ballot should be coded with a V on the Provisional Numbered List of Voters and the salmon outer envelope.

NOTE: If the missing information can be provided and the Registrar at the county office can be contacted, the voter should be allowed to vote on the Touchscreen and a poll change card should be completed.

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Provisional Ballot Station

Issuing a Provisional Ballot

1. Voter should complete the Provisional section of the paper Voter Certificate (Salmon colored) and if required, a Provisional Voter Registration Application
 - a. Ask voter to provide Photo ID unless reason for voting a provisional ballot is no ID can be provided (IR or PI)
 - b. Initial the form in the proper space
2. Confirm forms are complete
3. Complete the outer Provisional Envelope:
 - a. Print voter's name
 - b. Precinct number and ballot style number
 - c. Date and name of election
 - d. Note appropriate provisional code

Provisional Ballot Station

Issuing a Provisional Ballot, continued

4. Write the voter's name on the Provisional Numbered List of Voters, note appropriate provisional code in the PROVISIONAL CODE column and BALLOT STYLE in the appropriate column
5. Record the ballot number on the voter certificate and initial as issued
6. Hand voter the ballot and both Official Provisional Ballot Envelopes. Instruct the voter to go to the Provisional Ballot Booth to vote the ballot by filling in the ovals next to the candidate or answer of his or her choice. When finished voting, the voter will fold and insert the ballot into the inner Provisional Ballot Envelope and seal. The inner envelope will then be inserted into the larger salmon-colored envelope and seal. The voter will then insert the ballot in the Provisional Ballot Container

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Provisional Ballot Station

Issuing a Provisional Ballot, continued

7. After the voter has cast the provisional ballot, provide the voter with written contact information so the voter will be able to determine whether the ballot was counted and, if the ballot was not counted, the reason why such ballot was not counted. If a federal candidate is on the ballot, the contact information provided to the voter must include a free access system, such as a toll-free telephone number or an internet website, to receive such information.
8. Place all of the VOTED Provisional Ballots in the PROVISIONAL BALLOT CONTAINER. Place the Numbered List of Provisional Voters and Provisional Recap Sheet in the proper envelope.

Remember:

A Provisional Recap Sheet is completed even if there are no provisional voters at your polling place.

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Provisional Ballot Station Challenged – Non-citizen

Note Regarding Proof of Citizenship

- If a status of Non-Citizen is in the voter's record in the Poll Pad, the poll official is to request proof of citizenship from the voter. A list of acceptable citizenship documents is provided on the next slide.
- If the voter can provide the acceptable documentation, the poll official should tap on the Documentation Provided box on the Poll Pad screen and process the voter to vote on the Touchscreens.
- Your County Office should have a procedure established for reporting this documentation provided to the Registrar
- If the voter cannot provide proof of citizenship, the poll official should allow the individual to cast a provisional ballot and shall provide the individual with written contact information so the individual will be able to determine whether the ballot was counted and, if the ballot was not counted, the reason why such ballot was not counted. The poll officer should notify the poll manager that the individual must cast a provisional ballot.

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Provisional Ballot Station Challenged – Non-citizen

List of Acceptable Documents for Proof of Citizenship

- List of acceptable documents to prove citizenship:
- Birth certificate, issued by a U.S. State (if the person was born in the U.S.), or by the U.S. Department of State (if the person was born overseas and the parents registered the child's birth and U.S. citizenship in both with the U.S. Embassy or Consulate).
 - U.S. Passport, issued by the U.S. Department of State.
 - Certificate of Citizenship, issued to a person born outside the U.S. who was still a U.S. citizen at birth, or to a person who later automatically became a U.S. citizen.
 - Naturalization Certificate, issued to a person who became a U.S. citizen after birth through the naturalization process.
 - A Report of Birth Abroad of a U.S. Citizen.
 - A Confirmation of birth issued by the Department of State.
 - A U.S. Citizen ID card.
 - An American Indian Card issued by the Department of Homeland Security with the classification code "NIC" (issued by DHS to identify U.S. citizen members of the Texas Band of Kickapoo living near the U.S.-Mexican border).
 - Final adoption decree showing the child's name and U.S. birthplace.
 - Evidence of civil service employment by the U.S. government before June 1978.
 - An official U.S. military record of service showing a U.S. place of birth.
 - A Northern Mariana Identification Card (issued by the DNV to a collectively naturalized citizen of the U.S. who was born in the Northern Mariana Islands before November 4, 1986).
 - Extract of U.S. hospital record of birth established at the time of the person's birth indicating a U.S. place of birth.
 - Life or health or other insurance record showing a U.S. place of birth and was created at least 5 years before the initial application date.
 - Federal or State census record showing U.S. citizenship or a U.S. place of birth (Generally for persons born 1900 through 1950).
 - Institutional admission papers from a nursing home, skilled nursing care facility or other institution which indicates a U.S. place of birth.
 - Medical (clinical, doctor, or hospital) record and was created at least 5 years before the application date and indicates a U.S. place of birth.
 - Other document that was created at least 5 years before the application. Document must be one of the following and show a U.S. place of birth: Secret Indian school census record; Bureau of Indian Affairs tribal census records of the Navaho Indians; U.S. State Vital Statistics official notification of birth registration; an amended or delayed U.S. public birth record that is amended more than 5 years after the person's birth; or statement signed by the physician or midwife who was in attendance at the time of birth.
 - If other forms of documentation cannot be obtained, documentation may be provided by a sworn affidavit, signed under penalty of perjury, from two citizens, one of whom cannot be related to the person in question, who have specific knowledge of event(s) establishing the person in question's citizenship status. The person in question or another knowledgeable individual must also submit an affidavit stating why the documents are not available. Affidavits are only expected to be used in rare circumstances.

Provisional Ballot Station

Challenged Ballots

O.C.G.A. § 21-2-230

(a) Any elector of the county or municipality may challenge the right of any other elector of the county or municipality, whose name appears on the list of electors, to vote in an election. Such challenge shall be in writing and specify distinctly the grounds of such challenge. Such challenge may be made at any time prior to the elector whose right to vote is being challenged voting at the elector's polling place or, if such elector cast an absentee ballot, prior to 5:00 P.M. on the day before the election; provided, however, that challenges to persons voting by absentee ballot in person at the office of the registrars or the absentee ballot clerk shall be made prior to such person's voting.

(b) Upon the filing of such challenge, the board of registrars shall immediately consider such challenge and determine whether probable cause exists to sustain such challenge. If the registrars do not find probable cause, the challenge shall be denied. If the registrars find probable cause, the registrars shall notify the poll officers of the challenged elector's precinct or, if the challenged elector voted by absentee ballot, notify the poll officers at the absentee ballot precinct and, if practical, notify the challenged elector and afford such elector an opportunity to answer.

(c) If the challenged elector appears at the polling place to vote, such elector shall be given the opportunity to appear before the registrars and answer the grounds of the challenge.

Provisional Ballot Station

Challenged Ballots

O.C.G.A. § 21-2-230 continued

(d) If the challenged elector does not cast an absentee ballot and does not appear at the polling place to vote and if the challenge is based on grounds other than the qualifications of the elector to remain on the list of electors, no further action by the registrars shall be required.

(e) If the challenged elector cast an absentee ballot and it is not practical to conduct a hearing prior to the close of the polls and the challenge is based upon grounds other than the qualifications of the elector to remain on the list of electors, the absentee ballot shall be treated as a challenged ballot pursuant to subsection (e) of Code Section 21-2-386. No further action by the registrars shall be required.

(f) If the challenged elector does not cast an absentee ballot and does not appear at the polling place to vote and the challenge is based on the grounds that the elector is not qualified to remain on the list of electors, the board of registrars shall proceed to hear the challenge pursuant to Code Section 21-2-229.

(g) If the challenged elector cast an absentee ballot and the challenge is based upon grounds that the challenged elector is not qualified to remain on the list of electors, the board of registrars shall proceed to conduct a hearing on the challenge on an expedited basis prior to the certification of the consolidated returns of the election by the election superintendent. The election superintendent shall not certify such consolidated returns until such hearing is complete and the registrars have rendered their decision on the challenge. If the registrars deny the challenge, the superintendent shall proceed to certify the consolidated returns. If the registrars uphold the challenge, the name of the challenged elector shall be removed from the list of electors and the ballot of the challenged elector shall be rejected and not counted and, if necessary, the returns shall be adjusted to remove any votes cast by such elector. The elector making the challenge and the challenged elector may appeal the decision of the registrars in the same manner as provided in subsection (e) of Code Section 21-2-229.

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Provisional Ballot Station

Challenged Ballots

O.C.G.A. § 21-2-230 continued

(h) If the challenged elector appears at the polls to vote and it is practical to conduct a hearing on the challenge prior to the close of the polls, the registrars shall conduct such hearing and determine the merits of the challenge. If the registrars deny the challenge, the elector shall be permitted to vote in the election notwithstanding the fact that the polls may have closed prior to the time the registrars render their decision and the elector can actually vote, provided that the elector proceeds to vote immediately after the decision of the registrars. If the registrars uphold the challenge, the challenged elector shall not be permitted to vote and, if the challenge is based upon the grounds that the elector is not qualified to remain on the list of electors, the challenged elector's name shall be removed from the list of electors.

(i) If the challenged elector appears at the polls to vote and it is not practical to conduct a hearing prior to the close of the polls or if the registrars begin a hearing and subsequently find that a decision on the challenge cannot be rendered within a reasonable time, the challenged elector shall be permitted to vote by casting a challenged ballot on the same type of ballot that is used by the county or municipality for provisional ballots. Such challenged ballot shall be sealed in double envelopes as provided in subsection (a) of Code Section 21-2-419 and, after having the word "Challenged," the elector's name, and the alleged cause of the challenge written across the back of the outer envelope, the ballot shall be deposited by the person casting such ballot in a secure, sealed ballot box notwithstanding the fact that the polls may have closed prior to the time the registrars make such a determination, provided that the elector proceeds to vote immediately after such determination of the registrars. In such cases, if the challenge is based upon the grounds that the challenged elector is not qualified to remain on the list of electors, the registrars shall proceed to finish the hearing prior to the certification of the consolidated returns of the election by the election superintendent. If the challenge is based on other grounds, no further action shall be required by the registrars. The election superintendent shall not certify such consolidated returns until such hearing is complete and the registrars have rendered their decision on the challenge. If the registrars deny the challenge, the superintendent shall proceed to certify the consolidated returns. If the registrars uphold the challenge, the name of the challenged elector shall be removed from the list of electors and the ballot of the challenged elector shall be rejected and not counted and, if necessary, the returns shall be adjusted to remove any votes cast by such elector. The elector making the challenge and the challenged elector may appeal the decision of the registrars in the same manner as provided in subsection (e) of Code Section 21-2-229.