

Press Release
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GA Election Board Concedes New System Lost Votes as Court Expedites Discovery in Federal Lawsuit

ATLANTA GA – Georgia’s [State Election Board](#) (SEB) acknowledged Monday, what election integrity activists have claimed for nearly two months: Georgia’s new \$100+ million voting system **failed to count all votes on mail-in ballots** in the June 2020 primary. The SEB approved posting for public review [a new rule](#) to make adjustments to scanner settings in hope it may correct the serious deficiency. The rule was approved despite emphatic [denials](#) by voting system rollout manager, Gabriel Sterling who insisted on social media that no counting problem exists.

After the June 9th primary, adjudication teams in five counties discovered a [statewide technical issue](#) where new scanners accepted ballots but tabulators **ignored** clear, visible intent of specific votes made by thinner check marks within selection bubbles for a candidate. The thin check marks were **not counted as votes, not rejected as undeterminable and not displayed for adjudication**. County election officials were not alerted to the fact that the votes were **not counted** unless some other problem with the ballot existed. Marks that show clear voter intent are required to be counted as votes by Georgia law and SEB rules for all methods of voting. [[O.C.G.A. 21-2-438, Rule 183-1-15-.02 \(2e\)](#)].

The new system was set to **ignore** all vote marks that filled less than 12% of any bubble for a given candidate. The board, chaired by Secretary of State (SOS) Brad Raffensperger, [voted](#) to force the system to flag any mark above 10% and less than 20% for consideration by a vote review team. The state of Colorado set their identical Dominion ICX voting system to only ignore vote marks that fill less than 5% of a given bubble. SEB member David Worley argued at the [meeting](#) Georgia should follow the same Colorado standard to ensure all cast votes are counted.

Meanwhile, U.S. District Court Judge Amy Totenberg [ordered](#) expedited discovery for the federal district case brought by [two sets](#) of Plaintiffs seeking to **ban** the new Ballot Marking Device (BMD) system. She asserted: *“The State Defendants’ assertion of unilateral, wholesale objections to expedited discovery at this juncture simply has wasted everyone’s time.”* Plaintiffs allege:

- The BMD encrypted barcode votes cannot be verified by the voter;
- Planned post-election procedures cannot audit what BMDs display to voters;
- Large publicly viewable screens cannot protect secrecy of ballots for voters.