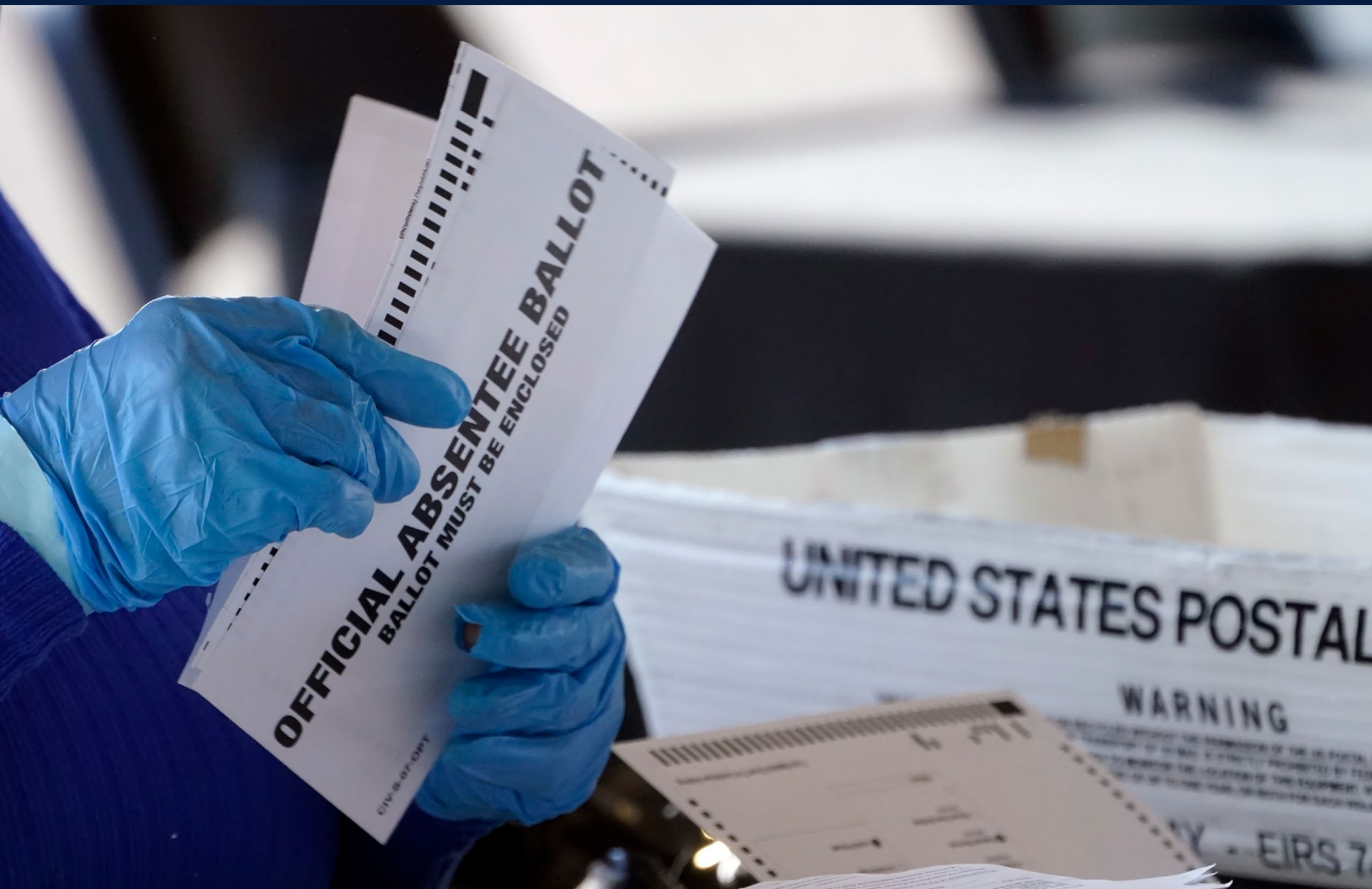

Report on the “Election Oversight Group” Allegations About the 2020 Election in Fulton County, Georgia



Based on a thorough analysis of the publicly available information, this report identifies extensive flaws in the allegations of the “Election Oversight Group,” finding that they do not meet the standards of credible post-election analysis and provide no legitimate conclusions about the conduct or results of the 2020 election in Fulton County.



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Executive Summary



A report from early 2026 alleging findings of errors and fraud during the 2020 general election in Fulton County, Georgia, published by the “Election Oversight Group” and known election skeptic Kevin Moncla, does not meet the standards of a credible post-election analysis. Despite filling hundreds of pages with figures and assertions, the Election Oversight Group Report (EOG Report) contains no legitimate conclusions about the conduct or results of the 2020 election in Fulton County.

In contrast to several previous investigations by Georgia state authorities and other experts, the EOG Report suffers from extensive flaws: It relies on faulty and inadequate evidence, unsupported claims, meaningless comparisons, omissions and misreadings of primary sources, misunderstanding of election laws, and disregard for the election safeguards in place in 2020.

This analysis reviews the allegations of the EOG Report with a focus on election data and processes and finds that the EOG Report provides no coherent theory or evidence of fraud and no basis to doubt the results of the election. The EOG Report does not withstand scrutiny and is not a reliable analysis of the 2020 election in Fulton County.

Introduction

This analysis provides an independent review of the spurious allegations regarding Fulton County’s 2020 general election made in “Fulton County: Report of Investigation of the 2020 General Election.”¹ Published on Jan. 6, 2026, and produced by known election skeptic Kevin Moncla and the “Election Oversight Group,” the EOG Report sets out 26 “Counts” that purport to establish fraud, or the likelihood of fraud, in the 2020 election. Some of these allegations form the core of the affidavit supporting the search warrant for the FBI’s raid on the Fulton County Elections Hub on Jan. 28, 2026.² These events demonstrate the importance of evaluating highly unusual claims like those in the EOG Report with scrutiny, skepticism, and election expertise.



The analysis below is based on a thorough review of all 26 Counts of the EOG Report, including those in the Fulton County search warrant affidavit, as well as an additional claim appearing in that affidavit. It draws on public records, including contemporaneous election documentation, records of election observation, Georgia state law, and multiple previous investigations into Fulton County’s 2020 general election results by state authorities, independent investigators, scientists, and other experts. The analysis also draws on the authors’ expertise in data analysis, election law, and election administration.



The three authors of this analysis are election experts and scholars: Justin Grimmer, professor of political science at Stanford University and a senior fellow at the Hoover Institution; Stephen Richer, former Maricopa County Recorder, Cato Institute legal scholar, and senior fellow Harvard Kennedy School’s Ash Center; and Ryan Germany, former general counsel for the Georgia Secretary of State’s Office. This report was commissioned by States United Democracy Center, a nonpartisan organization advancing free, fair, and secure elections.

IN THE PAGES THAT FOLLOW, THIS REPORT:

- ✔ **Outlines the flaws** of the EOG Report in an initial discussion.
- ✔ **Explains the reliable safeguards** built into Fulton County’s 2020 election system—best practices used in most U.S. elections.
- ✔ **Summarizes past investigations** into the accuracy and lawfulness of Fulton County’s 2020 general election results.
- ✔ **Examines and demonstrates the flaws of all 26 Counts** of the EOG Report, including those in the Fulton County search warrant affidavit, as well as an additional claim appearing in that affidavit.

Together, these sections demonstrate why the EOG Report is not a reliable analysis of the 2020 election in Fulton County.

■ A Note About Terminology And Scope

The document that is the focus of this analysis refers to itself as a “report” and an “investigation.” Filled with references to statutes and statistics, it purports to offer a “comprehensive overview” of 26 “Counts,” each of which propose a “statement of fact” and “potential violations of law” in the administration of Fulton County’s 2020 election. While these terms suggest analytical rigor and legal authority, the EOG Report consistently fails to provide evidence to support its claims of willful behavior or to set out a coherent theory of fraud. The Counts are composed of errors, contradictions, and faulty logic. The legal allegations in the EOG Report are similarly flawed, but the discussion below addresses only the legal flaws most salient to our analysis.

Discussion

A few examples illustrate the pervasive flaws in the EOG Report. The first “Count” is that voting systems were “reprogram[med] immediately before the 2020 general election.”³ Putting aside that this allegation is factually inaccurate, the EOG Report does not link machine software to any impact on the election, malfeasance, or fraud.⁴ Nor does the EOG Report acknowledge or address the many safeguards in place designed to ensure that voting machines produce accurate results. These safeguards ranged from the use of printed paper ballots that voters were instructed to check for accuracy to the risk-limiting audits designed to detect mismatches between those paper ballots and the votes recorded in the cast vote record (CVR).



The failure to address these safeguards is a significant omission and shows why Count 1 and the broader EOG Report are not logically sound. As this analysis details, in Fulton County in 2020, as in virtually every American election, safeguards designed to detect fraud and errors—including in the programming of machines—were in place. The EOG Report’s failure to address these safeguards—either by simply ignoring them or falsely asserting that they were not employed in the election—is just one indicator of the weakness of its analysis.

A similar issue affects the EOG Report’s Count 3, which concerns Fulton County’s order of roughly one million ballots before the 2020 general election. The EOG Report concedes that the order of ballots broke no laws, but nonetheless asserts that it “goes to means, method and opportunity as further detailed in subsequent counts, and is important to consider in overall scope,” and “[p]otentially [is] an overt act.”⁵ As an initial matter, the EOG Report fails to articulate in Count 3 or any other Count how these ballots are tied to the outcome of the election—leaving these details to the reader to fill in. And to the extent the EOG Report intends to insinuate that there was a scheme to commit election fraud in Fulton County in 2020, the EOG Report fails to offer any theory as to how these million ballots could have been fraudulently entered into the count without being detected.

In other places, the EOG Report misreads evidence and then uses that “evidence” to make false allegations. For example, the EOG Report’s Count 4 alleges that absentee ballot signature verification did not occur.⁶ This is both untrue and unsupported by the evidence cited in the EOG Report; ballot verification did in fact occur, as confirmed by election data and as documented by contemporaneous observers of the election.



Purposefully or not, the EOG Report also fundamentally misunderstands the role of certain election records. For example, its claims about unsigned tabulator tapes and purportedly destroyed ballot images (Counts [6](#) and [7](#)) ignore that neither tabulator tapes nor ballot images are used to generate election results.⁷ Nor are they the best evidence of the election outcome. In Fulton County in 2020, as elsewhere in the country, paper ballots and cast vote records are used to both count and verify the results—not tabulator tapes or ballot images. And the EOG Report ignores the fact that neither unsigned tabulator tapes nor missing ballot images is any indication of fraud; the election results can still be verified through the [comparison](#) of the actual paper ballots and the cast vote record.

Other Counts fail because the authors deploy incomplete or inaccurate data. For example, [Count 25](#) claims that 25,534 more ballots were counted in the 2020 election than voters given credit for voting.⁸ But the EOG Report’s count of voters stops during the early voting period, several days before Election Day—while its count of ballots goes through Election Day. This is a basic data error that says nothing relevant about Fulton County—but is illustrative of the errors in the EOG Report. In other Counts, the EOG Report treats everything from public records disputes (e.g., [Count 8](#)) to disputes over approval processes in municipal law (e.g., [Count 11](#)) as indicators of fraudulent or willful conduct, again without providing any theory of fraud.⁹

Finally, the EOG Report fails to even suggest a plausible theory of fraud or significant error, much less a theory that could explain how fraud could have escaped the safeguards Fulton County implemented in 2020. Instead, as set out below, all the relevant evidence confirms what the prior counts and investigations by state officials and other experts demonstrated: That the election officials in Fulton County, despite making human errors exacerbated by new election equipment, administrative changes, and the COVID-19 pandemic, produced election results that accurately reflected the will of Georgia voters in 2020.

Factual Background About Election Safeguards

For context in evaluating the EOG Report’s claims, we first review the safeguards against fraud and error that existed in Georgia in 2020. Elections are complex. States and election officials deploy strong and robust procedures designed to ensure that errors are caught and the rare instances of fraud detected. These kinds of procedures and safeguards were required by Georgia law in 2020.



Each of these safeguards is designed to ensure that there is no single point of failure in the conduct of the election—meaning that problems in any one process or technology will not change the outcome. There are also automatic checks, including risk-limiting audits and reconciliations, designed to produce a signal if there is a significant issue in the conduct of the election—even if no safeguard is known to have failed. Understanding these processes can help anyone understand why the EOG Report’s claims about fraud are untenable.

■ 1. Safeguards to ensure ballots are submitted by eligible voters.

In Georgia, safeguards against errors and fraud began with voter registration. Most voters are registered through the automatic voter registration process at the Department of Driver Services (DDS).¹⁰ For more than a decade, DDS has required proof of identity and either citizenship or legal residence in the United States. Only applicants who have proven their citizenship are offered the opportunity to register to vote at DDS.¹¹ Even voters who do not register through DDS have to prove their identities; every voter has to be matched against the DDS or U.S. Social Security Administration database, or they have to submit proof of identity manually before they vote for the first time.¹² These procedures are strong safeguards against registration and submission of large numbers of “fake” registrants. Furthermore, most of the information in the voter lists is publicly available and heavily used by civic groups, Republican and Democratic political campaigns, and election officials to reach voters—and none have identified any reason to believe that there were a large number of fake registrations in Georgia or Fulton County in 2020.

Further, every in-person voter in Georgia has to show identification.¹³ That was true in Fulton County in 2020. During in-person voting, poll workers checked voters' IDs, then scanned the ID into an electronic poll book that associated the ID with the voter's record.¹⁴ The voters' records were then checked to see if they had requested an absentee ballot, and if so, if that absentee ballot had already been voted.¹⁵ If they had not already voted but were eligible, they were checked in and permitted to vote.¹⁶

Mail absentee voters were required to apply for absentee ballots.¹⁷ The requestor's signature and eligibility were checked,¹⁸ and their ballot would only be sent to the address on the registration or a temporary address outside the county of registration.¹⁹ When returning the mail ballot, the voter was required to sign the mail ballot envelope, so the election official could verify that the ballot was submitted by the registered voter—and not someone else.²⁰ As with in-person voting, if the ballot passed these checks, the voter was marked in the system as having voted, preventing them from voting again.²¹

In addition to these security measures, any registered voter who goes to vote would be told if there had already been a ballot submitted in their name. Further, as in 2020, the record of who votes in an election is public. That data is made available to, and regularly used by, political campaigns and researchers.

■ 2. Safeguards to ensure that ballots, and the count, reflect voter selections—and are not the result of hacking, errors, or fraud.

Georgia law also imposes strong safeguards against hacking, fraud, or errors in the equipment used to create and count ballots. In 2020, the state acceptance-tested all equipment before the counties received it.²² Then, before the equipment was used in the election, it was subjected to pre-election public testing, called logic and accuracy testing.²³

■ a. In-person voting and tabulation equipment.

Georgia's acceptance-testing and pre-election logic and accuracy testing are designed to ensure that, for in-person voters who vote using voting machines that print their ballots, the voting machines are programmed to display every voter's sections correctly, the ballot printed the voter's sections exactly, and the tabulation equipment tallies exactly the votes that the voter selects.²⁴ Indeed, in 2020, pre-election logic and accuracy testing spotted that one contest was displayed incorrectly on voting machines under certain circumstances; as

a result, a patch was developed and applied prior to voting.²⁵ The federal Election Assistance Commission (EAC), the body responsible for promulgating voting system security testing requirements, determined that the patch was minor and that additional testing by the EAC was not required.²⁶

In addition to testing in 2020, all in-person Georgia voters received a printed, paper ballot displaying the choices they entered into the voting machine.²⁷ State Election Board rules required a poll worker to instruct voters to review this paper ballot for accuracy before putting it into the tabulation equipment to be counted.²⁸ This means that every in-person voter had the opportunity to ensure that their printed ballot accurately reflected their selections. Fulton County received no meaningful reports of machine errors in recording votes or other operational errors during the election.

After in-person voters verified their ballots, they walked to the optical scanner and inserted their ballot to be scanned and counted. The scanner read the ballot and stored the voter's choices on a memory card, as part of a cast vote record of all the votes that the machine counted from the ballots it scans.²⁹ This memory card was secured with a tamper-evident seal and either locked or placed under constant supervision.³⁰ After the voter scanned the ballot, it was deposited into a locked and sealed ballot box before exiting the polling location.³¹ This ballot box was required to be checked on the first day of early voting and on Election Day by the poll manager and two witnesses who confirm it is empty.³² Poll managers were also



required to confirm that the scanner was not tampered with prior to each day of early voting.³³ And recap sheets were required to be kept every day of early voting and on Election Day to track the number of voter check-ins, printed ballots, and scanned ballots.³⁴ Georgia law further imposed chain-of-custody procedures for transferring the ballots from the box to ballot containers for transportation after the close of the polls.³⁵

After the polls closed on Election Day, the poll manager and two election officials were required to end voting at the polling place under public observation.³⁶ The poll manager and two election officials were required to place the memory card from the scanner into an envelope with a tamper-evident seal for transport back to the county election headquarters in order to report the results.³⁷ Transporting the card back to the county election headquarters for official counting required at least two election officials, who delivered the sealed envelope to the election superintendent, following chain-of-custody procedures.³⁸ Georgia law required the election superintendent to then break the tamper-evident seal on the envelope, remove the memory card, and upload the cast vote record to an elections computer that is not connected to the internet³⁹—called an “air-gapped” computer. That computer aggregated the votes from this memory card and all others into initial results.⁴⁰

The memory cards were used to produce tabulator tapes, which are paper copies of the votes recorded on the memory cards, and contained ballot images, which are images of the ballots that are scanned. However, it is the CVR stored on the memory card that is the source of the aggregated and reported results. While tabulator tapes and ballot images are sometimes used as an additional check on the results produced by CVRs, they are not the basis for reporting results.

b. Absentee tabulation equipment.

As noted above, after the election official conducted eligibility checks and signature verification of the absentee ballot application, voters were mailed a ballot, which they filled out by hand and returned in signed envelopes (with the ballot sealed in another envelope enclosed in the signed envelope) to an election official.⁴¹ If the voter’s signature was verified and the voter had not already voted, election officials separated these ballots from their envelopes and scanned them, using a combination of (1) the same type of optical scanners with memory cards used at in-person voting locations and (2) optical scanners that stored their CVRs directly into an election office air-gapped computer.⁴² All of these machines and tabulation processes were subject to the same accuracy testing described above.



c. Ballot preservation, reconciliation, and audits.

The original ballots from both in-person voting and absentee voting were also required to be securely stored. This ensured that the paper ballots could be hand-counted and compared against the machine tally generated from the CVRs. This comparison, in turn, was used to confirm that there was no tampering with the tabulation equipment or the ballots themselves.⁴³ Fulton County conducted exactly this kind of comparison in 2020. As discussed in more detail below, the point of this comparison is not to ensure that the hand count and the machine count match exactly; humans are generally not capable of generating precise results on large numbers of ballots.⁴⁴ Instead, this process is designed by statistical experts to detect whether there were problems with the machine count, like tampering or errors in programming, that would affect the result.⁴⁵

If the margin of victory is especially close, sometimes a full hand count will be performed. Full hand counts are counts by humans of every single vote in an election or contest. They are generally used to ensure that the machine count worked as intended. That is what happened here; in Fulton County in 2020, both a full hand count of ballots and a candidate-requested machine recount—all observed by observers from both political parties and the public—confirmed the outcome of the presidential election.⁴⁶

FULL HAND COUNTS

For a deeper look into full hand counts, see *The Reality of Full Hand Counts: A Guide for Election Officials*, written and designed in partnership between the States United Democracy Center and The Elections Group (Feb. 6, 2024).



Like election jurisdictions across the country, Fulton County in 2020 employed safeguards against the injection of fraudulent ballots. The voter and ballot check-in processes described above for both in-person and absentee voters, which are designed to ensure voters are eligible and verified, were reconciled against the number of ballots counted.⁴⁷ This reconciliation process helps ensure that there are no significant differences between the number of ballots counted and the number of recorded voters in the election. Contrary to the EOG Report's inaccurate assertion,⁴⁸ Fulton County performed such a reconciliation in 2020.⁴⁹ Though Fulton County's reconciliation did not result in an exact match of ballots cast and voters, the difference was minimal and likely due to issues during early voting with poll workers properly crediting voters for voting. It certainly does not suggest malfeasance or fraud, but rather human error that did not even come close to affecting the result of the election.

Numerous Audits and Independent Reviews of Fulton County’s 2020 Election Confirmed Its Results

The margin in the 2020 presidential election in Georgia was close, and the race received national scrutiny. As a result, many of the allegations raised in the EOG Report have been exhaustively investigated and dismissed as unfounded by state authorities, independent investigators, scientists, and experts.

■ 1. Statewide Risk-Limiting Audit

On Nov. 19, 2020, Georgia conducted a full manual tally of all ballots cast in the presidential contest statewide. The Secretary of State’s Office described this process as a risk-limiting audit that, because of the narrow margin, escalated into a hand count of the presidential contest on every ballot.⁵⁰ The audit confirmed that the original machine count had accurately determined the winner in the presidential contest.⁵¹ The largest difference between the original count and the audit was in Calhoun County, with a difference of 0.73%.⁵² In Fulton County, the audit reported 634 additional votes counted (0.121% of the total number of votes cast), with 345 net votes for President Trump, a difference of just 0.066% compared to the initial count.⁵³ The audit narrowed President Biden’s margin of victory in the county from 243,904 votes to 243,559 votes, and in Georgia overall from 12,780 to 12,284 votes.⁵⁴

The Secretary of State designated the Carter Center, a nonpartisan nonprofit, to observe the risk-limiting audit. In its report, the Carter Center concluded that the audit “confirmed the original results of the presidential election in Georgia.”⁵⁵ While “[t]he process did not unfold exactly as it was envisioned at the outset” (referring to the fact that the audit was not initially conceived as a full hand count), the “results of the hand-tally process were very close to the results of the initial machine count,” which the Center notes “should help allay concerns about the accuracy of the BMDs and scanners used in Georgia’s elections.”⁵⁶ Additionally, VotingWorks, an organization that provided Georgia election workers with training and support, published a post-audit report again reiterating that “[t]he audit confirmed the original result of the election.”⁵⁷

■ 2. Candidate-Requested Machine Recount

After the audit, the Trump campaign requested, and Georgia performed, a machine recount.⁵⁸ To conduct the machine recount, each county retabulated their election results, rescanning and recounting all paper ballots.⁵⁹ The public and both parties observed this recount.⁶⁰ On Dec. 7, 2020, the Secretary of State announced that the recount again upheld the outcome and he recertified the election results.⁶¹ In Fulton County, the recount found 932 fewer votes for President Biden and 7 more votes for President Trump, adjusting the final margin by 0.385%.⁶² By that point, the state had subjected the presidential contest to three different counts: the original tabulation, the full hand count audit, and the machine recount.

■ 3. Seven Hills Report

Seven Hills Strategies, an independent, nonpartisan private consulting firm, also monitored the November 2020 Fulton County election under contract with the State Election Board. Seven Hills observed signature matching, the voting process, ballot processing, tabulation, auditing, and retabulation.⁶³ After the general election, Seven Hills produced a post-election summary report based on nearly 270 hours of observation; the report concluded that there was no evidence of fraud or accused malfeasance that would undermine the certified results.⁶⁴ While the report criticizes certain aspects of Fulton County's election administration practices, it emphasizes that across the initial tabulation, risk-limiting audit, and recount, there was no "dishonesty, fraud, or intentional malfeasance."⁶⁵ The Seven Hills Report, which is an eyewitness, real-time account, confirms that while not every election procedure was executed perfectly, the fraud and conspiracy claims made by the EOG Report cannot be true.

■ 4. Performance Review Board Report on Fulton County Elections

The bipartisan report of the Performance Review Board, commissioned by the State Election Board to conduct a "thorough and complete investigation" of Fulton County's election practices, examined both the 2020 election and the county's performance in subsequent elections in 2021 and 2022.⁶⁶ The report concurred with the findings of Seven Hills and the Secretary of State's investigators that there was no evidence of fraud, dishonesty, intentional misconduct, or large systematic issues that would have affected the result of the 2020 election.⁶⁷

The Board emphasized that the initial count, risk-limiting audit, and machine recount all showed very similar results, and that while Fulton County had a history of election administration issues that made it difficult to explain the exact reasons for each mistake, the issues that had arisen were in fact consistent with an election process that contained human error, but not fraud or intentional malfeasance.⁶⁸

■ 5. MITRE Report

Dominion Voting Systems retained the National Election Security Lab at the MITRE Corporation—a nonprofit think tank that operates federally funded research and development centers—to undertake an independent technical review of claims that the ballot marking devices (the machines used to document and print an in-person voter’s choices on their paper ballot, or BMDs) used in Georgia in 2020 were vulnerable to outside attacks and manipulation. These claims were raised by an expert for the plaintiffs in a lawsuit related to the 2020 election.⁶⁹ MITRE’s report concluded that, even assuming Professor J. Alex Halderman’s assertions regarding potential BMD vulnerabilities were correct, the proposed attack scenarios were operationally infeasible in real-time election conditions.⁷⁰ The report rejected the claim that the proposed scenarios provided a realistic basis for changing an actual Georgia election outcome.⁷¹

■ 6. Fulton County Response to Complaints Regarding the Nov. 3, 2020 Election

The Fulton County Department of Registration and Elections itself conducted an investigation into all three tabulations in the 2020 election, based on complaints of irregularities asserted over three years.⁷² The memo acknowledges weaknesses and human error in the county’s election administration practices. However, Fulton County identified no evidence that the election’s outcome was untrustworthy. All

physical ballots were accounted for, multiple investigations and court challenges had previously confirmed the election results by that point, and existing processes (including a Secretary of State monitor) confirmed that there had been no undiscovered errors affecting the result.⁷³



■ 7. SOS Reports of Investigations into SEB Complaints

In addition to the statewide audit, recount, and broader performance reviews, the State Election Board (SEB) referred a series of Fulton County complaints to the Secretary of State’s Investigations Division for formal review. Those matters were investigated in detail through interviews, document review, video analysis, data reconciliation, and examination of election records. The resulting Reports of Investigation (ROIs) addressed many of the same allegations now recycled by the EOG Report and found no evidence of fraud or anything that would undermine the outcome of the 2020 election.

■ a. SEB2021-181, Fulton County Data Review

First, a complaint to the SEB by one of the authors of the EOG Report—Joseph Rossi—claimed that errors in Fulton County’s risk-limiting audit undermined the reliability of the 2020 result.⁷⁴ The Secretary of State’s investigation determined that, while human data-entry errors occurred, many of the complaint’s allegations were based on misunderstandings about how different files and systems work.⁷⁵ For example, complainants incorrectly assumed that batch names in different systems had to match, or incorrectly relied on an absentee voter file generated too early to capture all post-election voter credit, or failed to account for categories of votes such as provisional ballots.⁷⁶ Secretary of State investigators confirmed the presence of human data-entry errors in Fulton County but concluded that those errors were expected in a hand tally at that scale and did not affect the audit’s result.⁷⁷ None of the complaint’s claims undermined the audit, the purpose of which was to confirm the winner rather than produce a mathematically perfect recount, or made a plausible case or fraud or malfeasance.⁷⁸

■ b. SEB2023-025, Fulton County Tabulation

Another complaint, this one brought by both Joseph Rossi and Kevin Moncla, focused on Fulton County’s recount records and argued that duplicate ballot images, missing tabulator tapes, and batch discrepancies called the results of the election into question.⁷⁹ The Secretary of State’s review found these claims without merit. State investigators identified fatal flaws in the complaint’s analysis, including conflating total ballots cast with votes cast in the presidential contest (that is, presuming without basis that every voter must have voted for the presidential contest on a ballot that contained multiple other races and propositions), as well as treating election administration documents—such as tabulator tapes, ballot images,

and batches loaded reports (BLRs) used to upload results—as final reporting documents rather than interim reports.⁸⁰ While the investigation concluded that Fulton County had encountered batch-management and scanner-programming issues during the recount, the county addressed them by isolating the affected batches, rescanning them, and validating the final totals.⁸¹ The Secretary of State criticized aspects of Fulton County’s elections administration and recordkeeping but found no evidence of any discrepancies that would have affected the result of the election.⁸²

c. SEB2020-059, State Farm Arena

Another complaint submitted to the State Election Board alleged that Fulton County election workers at State Farm Arena secretly processed fraudulent ballots after observers were told to leave on election night.⁸³ The Secretary of State’s investigators found that those allegations were not supported by the evidence. Investigators from the Secretary of State’s Office, together with the FBI and Georgia Bureau of Investigation, reviewed the full unedited surveillance footage and interviewed the relevant witnesses.⁸⁴ They determined that observers were not ordered to leave, that ballot containers containing purportedly fraudulent ballots were ordinary ballot bins rather than hidden “suitcases,” and that the ballots being scanned were lawfully processed absentee ballots.⁸⁵ In the end, the Secretary of State concluded that the allegations were unsubstantiated and that the evidence did not show fraudulent ballots were counted.⁸⁶

d. SEB2020-203, Fulton County Tabulation & Audit Issues

Still another SEB matter gathered a broad assortment of Fulton County-related allegations, ranging from State Farm Arena claims to supposed problems with test ballots, purportedly suspicious ballots observed during the audit, and allegations of securing ballots improperly.⁸⁷ Secretary of State investigators found no basis for the claim that the State Farm Arena events involved fraudulent tabulation and no indication that the cited procedural concerns changed the election outcome.⁸⁸



■ 8. Pro V&V Forensic Audit

Soon after the election, on Nov. 12, 2020, the Georgia Secretary of State directed Pro V&V, an accredited voting system testing laboratory, to conduct a forensic audit of a random sample of the voting equipment used in Georgia. Pro V&V examined 18 machines in six counties to verify that they were running the correct software.⁸⁹ The counties included in the audit were Cobb, Douglas, Floyd, Morgan, Paulding, and Spalding; Fulton County was not included.⁹⁰ On Nov. 17, 2020, the Secretary of State announced that the audit found no evidence of tampering and confirmed that the equipment examined was using the certified software and firmware.⁹¹

Analysis

As discussed above, the EOG Report’s claims, which it refers to as “Counts,” neither provide evidence to support its claims of willful behavior nor set out a coherent theory of election fraud. The analysis below outlines flaws in each Count.



COUNT 1

Count 1 asserts that Fulton County performed “a complete installation of [] new and untested” software onto its BMDs, suggesting that this nullified the certification of the software by the Election Assistance Commission.⁹² Multiple publicly available documents confirm that there was no issue with EAC certification, including a judicial opinion in which a federal district court judge examined, and rejected, related complaints about the same software. Moreover, the EOG Report provides no evidence that software installed—a patch to a display issue—had an impact on the election. And there is more than sufficient evidence to conclude that it did not.

Voters in Georgia’s 2020 presidential election voted on hand-marked or printed ballots—in either case, a ballot on paper. Election security professionals strongly recommend the use of paper ballots because they create an immutable, auditable paper trail that voters are instructed to check for accuracy.⁹³ Any concerns about tabulation error can be disproven by hand counts or recounts of the original paper ballots. In 2020, Georgia had exactly such an immutable paper record to audit, ensuring that the outcome of the election was sound.

Georgia recounted the paper ballots from the 2020 presidential election twice—once by hand and once by machine. Those additional counts affirmed that the machine count produced accurate outcomes. The hand count audit relied on the text on the ballot. The machine recount used scanners, but State Election Board regulation required each scanner to be successfully tested with a stack of ballots and confirm that it is correctly recording the results prior to use in the recount.⁹⁴

Regardless, the installation of the patch at issue had no impact on EAC certification. At the time of the 2020 presidential election, Georgia law required that all election equipment be “certified by the United States Election Assistance Commission prior to purchase, lease, or acquisition.”⁹⁵ The equipment Georgia purchased in 2019 met this requirement for EAC certification, and counties used the certified equipment in all 2020 jurisdictional elections, as well as the 2020 primary, prior to the November presidential election.⁹⁶

Before each election, Georgia officials tested the certified equipment. On Oct. 5, 2020, prior to the tabulation of any ballots, Elections Director Chris Harvey notified all county election officials and county registrars of an issue with the BMDs—“that, in certain rare circumstances, caused the second column of candidates in the U.S. Senate Special Election to not correctly display on the touchscreen.”⁹⁷

Dominion, the manufacturer of the election equipment used in Georgia, quickly found a software patch solution. They then shared that solution with Pro V&V, the aforementioned federally accredited voting system testing laboratory.⁹⁸ Once Pro V&V reviewed the proposed solution, they concluded that there was “no reason why the EAC will not agree with our determination and I expect the EAC to approve the change as *de minimis*.”⁹⁹

The EAC agreed that the solution proposed by Dominion’s team was *de minimis* and therefore did not jeopardize the federal certification of the equipment. Furthermore, a federal court recognized this. In response to litigation challenging the use of the BMDs in the November 2020 election, a federal court permitted the use of the devices, noting that the EAC had approved the solution as *de minimis* on Friday, Oct. 9, 2020, before any voting, and that “[t]he Court is certainly not in the position to second guess the EAC’s approval.”¹⁰⁰

The Count concludes by asserting that “[t]he EAC requires any software changes to be tested and approved before it’s [sic] installed.”¹⁰¹ The EOG Report provides no citation to this purported requirement nor any showing that it would be applicable to this *de minimis* patch. But, in any case, this complaint about the timing of the installation of the patch demonstrates nothing relevant about the 2020 election in Fulton County. It has no impact on the election or its accuracy, and the authors claim none.

Finally, it should be noted that the EOG Report makes no attempt to show how this claim is particular to Fulton County. The patch at issue was applied throughout Georgia. The EOG Report offers no rationale for targeting Fulton County in connection with this complaint, while ignoring all other 158 Georgia counties.

COUNT 2

Count 2 alleges that Fulton County was required to, but did not, conduct additional testing on their BMDs after installing the software they complain about in Count 1.¹⁰² This Count is equally irrelevant.

As discussed in connection with Count 1, Georgia purchased EAC-certified ballot marking devices for use in all 2020 elections, including jurisdictional elections and the statewide primary. The

patch applied did not jeopardize certification. Georgia tested its election equipment prior to its use in each election, including the 2020 presidential election.

But fundamentally, as with Count 1, even if the facts alleged in Count 2 were accurate, it would still cast no doubt on the outcome of the election or suggest fraud. Voters were told to verify that the selections on their paper ballots were correct, and there were post-election audits of the paper ballots. Both recounts of the ballots—one by hand, one by machine—affirmed the accuracy of the original results in the presidential contest.

COUNT 3

Count 3 concerns Fulton County’s order of roughly one million ballots before the election. The EOG Report concedes that this order was legally permissible, but it nonetheless suggests it was related to some impropriety, asserting that “it potentially goes to means, method and opportunity as further detailed in subsequent counts, and is important to consider in overall scope.”¹⁰³ It goes on to assert: “Potentially an overt act.”¹⁰⁴ While it is unclear what “overall scope” or “overt act” mean here, the EOG Report apparently intends to suggest that the ballot order is best understood as an attempt to facilitate fraudulent injection of ballots into the election.

What the EOG Report fails to mention, intentionally or not, is that the orders were placed to address specific issues. On Jan. 1, 2021, Gabriel Sterling, then Chief of Operations for the Georgia Secretary of State’s Office, explained on social media: “When the Fulton warehouse was hit with Covid, they were concerned they couldn’t get the work done (logic & accuracy testing) before Election Day and they ordered 100% emergency ballots as a back up”; that is, Fulton County doubled their planned ballot supply just before the election.¹⁰⁵ And as Sterling noted, there were also concerns about the readiness of machines or whether the use of machines could be enjoined before the election. On Oct. 11, 2020, a federal judge had denied a request for emergency relief that would have required Georgia “to conduct in-person voting . . . by a hand-marked paper ballot system” for the 2020 election.¹⁰⁶ While Georgia was permitted to use BMDs as a result of the judge’s order, the November 3 election was within the 30-day window for an appeal and possible emergency relief from a federal court of appeals.¹⁰⁷ This resulted in further uncertainty and counseled preparation for any eventuality.

To be clear, if the ballot marking devices were not ready for the 2020 election or were enjoined by court order, Fulton County would have needed to use paper ballots to ensure that voters could participate in the election. Fulton County had approximately 800,000 registered voters before the 2020 election. Fulton County’s extra ballots covered the registered voter population, plus an additional 30%. There is nothing nefarious in those numbers; those additional ballots would allow voters to make mistakes on their ballots and receive new ballots and ensure that different precinct

combinations would be covered. States have different approaches and regulatory guidance regarding the number of paper ballots jurisdictions should have on hand. For example, North Carolina mandates that counties that have to use “pre-printed ballots” “order ballots at least equal to 100% of the number of registered voters in the county corresponding to each ballot style.”¹⁰⁸

The EOG Report attempts to cast Fulton County’s concerns as unreasonable. But it fails to articulate a specific security risk from the extra ballots or allege that a single extra ballot was illegally cast. As described above, the reconciliation performed by Fulton County ensured that there were no significant differences between the number of ballots counted and the number of recorded voters in the election.¹⁰⁹ The EOG Report is merely speculating, without evidence or logic, that the extra ballots are cause for concern.

COUNT 4

Count 4 claims that “Fulton County failed to perform signature verification of absentee ballot envelopes for the 2020 General Election in accordance with Georgia law, and in contravention of the terms of a Consent Order to which Fulton County voluntarily agreed.”¹¹⁰ The EOG Report claims that the “evidence establishes that Fulton County’s failure was willful and intentional” and that “little to no signature verification occurred in many counties across the state for the General Election.”¹¹¹

These are explosive claims. And they are false. Indeed, official statistics show that Fulton County rejected absentee ballots for signature-based reasons. And the assigned Seven Hills Strategies monitor confirmed that signature verification was occurring. He was able to confirm this because he witnessed it with his own eyes, in real time.¹¹²

The EOG Report reaches its conclusion that signature verification did not occur based on faulty data analysis: In reviewing after-the-fact statistics, the EOG Report cherry-picks and arbitrarily redefines what qualifies as a signature-based rejection in support of its assertion. It compares the overall ballot rejection rate in 2018 to the signature-based rejection rate in 2020.¹¹³ But there are many reasons absentee ballots can be rejected beyond issues with the



voter’s signature, so this is a faulty comparison. From this faulty comparison, however, the EOG Report concludes that there must have been a problem with signature verification. In fact, an accurate comparison puts this claim to rest: The statewide rejection rate for signatures in the 2020 general election was similar to the statewide rejection rates for signatures in the 2018 election.¹¹⁴

The additional “evidence” the EOG Report cites betrays its conclusions. The emails that the EOG Report cites explicitly describe the signature verification process that occurred in Fulton County—confirming that signature verification was, in fact, performed.¹¹⁵ The EOG Report intentionally misreads the included emails, highlighting out-of-context quotes to reach a conclusion contradicted by the actual text of the communications—and all the other available evidence.

Contemporaneous Observation and the Emails Included in the EOG Report Confirm That Manual Signature Verification Occurred. For example, the EOG Report quotes a source stating that, “[w]e will not be able to implement the automated signature verification process until after the November election.”¹¹⁶ In that same email, which the EOG Report neglects to quote, the author states that they are building “efficiencies in the manual signature verification process”—confirming that manual signature verification will occur.¹¹⁷

The EOG Report speculates that manual verification was impossible without a large number of workers. But this claim fails to account for the clear verification process in place, as described in the very emails it discusses. Indeed, the Seven Hills Strategies report, which the EOG Report relies on extensively in connection with other Counts, reports that “the signature matching processes [were] in line” with requirements and “generally erred on the side of ‘give it further research’ when there was any doubt about a signature’s authenticity.”¹¹⁸

Fulton County Rejected Ballots for Signature Reasons in the 2020 Election. Using the Georgia Statewide Absentee Voter History file, we find that 0.3% of absentee ballots in Fulton County were rejected for signature reasons, constituting 434 total ballots. Statewide in Georgia, outside of Fulton County, 0.1% of absentee ballots were rejected for signature reasons. So, Fulton County’s rejection rate for signatures in 2020 exceeded the rejection rate for signatures in other Georgia counties.

The EOG Report claims that only six ballots were rejected in Fulton County for signature reasons.¹¹⁹ To reach this conclusion, the EOG Report arbitrarily defines a ballot as rejected for signature reasons only if 1) the ballot was rejected for “Invalid Signature” (rather than missing signature) and 2) the ballot had a recorded return date.¹²⁰ The EOG Report fails to explain why these restrictions are reasonable, or why other ballots rejected for lacking a signature or mismatched signatures without a return date would not constitute evaluation of signatures. In order to reach its conclusion, the EOG Report purposely ignores data that it otherwise relies on to lower the number of signature-based rejections in 2020 in Fulton County.

The EOG Report Confuses the 2018 Statewide Absentee Any-Reason Rejection Rate with the 2020 Statewide Signature-Based Rejection Rate. In Table 1 below, we present the overall rejection rate in Georgia in the 2016, 2018, and 2020 general elections along with the 2020 primary election. Table 1 is taken from Grimmer and Ramaswamy (2024) and uses the Georgia Statewide Absentee Voter History file to calculate the overall rejection rate for absentee ballots and the reasons for each rejection. In the 2020 general election, there was a lower overall rejection rate than in the prior elections. For example, approximately 3.1 percentage points more ballots were rejected in the 2018 general election than in the 2020 general election. But this is not because of a dramatic change in the rate ballots were rejected for signature reasons. In the 2020 election, 0.15% of the ballots were rejected statewide in Georgia for signature reasons. In the 2018 election, 0.2% of ballots were rejected statewide for signature reasons, a mere difference of 0.05 percentage points.

Table 1 points to two clear reasons that more mail-in ballots were rejected in 2018 than in 2020. First, a much larger share of ballots arrived after the deadline in 2018 than in 2020. Grimmer and Ramaswamy (2024) show that in the 2020 election voters on average returned their ballots much earlier than in prior elections, ensuring those voters did not risk their ballots being counted late. Second, a law passed in 2019, HB 316, simplified the information that had to be provided on the envelope for the ballot to be accepted, codifying court decisions that removed requirements that voters include their address and birthdate on the envelope.¹²¹ As a result, a whole category of rejection could no longer occur in the 2020 general election, which explains why the rejection rate would be lower than 2018.

Table 1 Overall Ballot Rejection Rate in Georgia

	2016 GENERAL	2018 GENERAL	2020 PRIMARY	2020 GENERAL
OVERALL REJECTIONS	2.90%	3.46%	0.97%	0.34%
Signature	0.28%	0.20%	0.27%	0.15%
Deadline	1.38%	1.57%	0.70%	0.18%
Oath	1.06%	1.50%	0%	0%
ID/Ineligible	0.18%	0.05%	0.01%	0.01%
Other	0.01%	0.14%	0%	0%

Source: Grimmer and Ramaswamy (2024)

The reported signature-based rejection rate in Table 1 is almost certainly an underestimate of the total number of ballots initially rejected for signature reasons. That is because HB 316 also enabled Georgia voters to “cure” their ballots if their signature was rejected. As a result of the legislation, if a voter’s ballot was rejected for signature-based reasons, they would be notified and then have the opportunity to show proof of their identity. According to the Secretary of State’s Office, 110 ballots were cured in Fulton County. In an attempt to shore up its conclusions, the EOG Report cites a paper that examines the curing process in Georgia during the 2021 runoff election,¹²² but inexplicably fails to take into account how curing affected the differences in the rejection rates across elections.

In other words, the conclusions in the EOG Report are based on a basic error: The EOG Report compares the wrong rejection rates across elections. The EOG Report disputes the claim from the Secretary of State’s Office that the signature rejection rate was the same in 2018 and 2020 by pointing to aggregate rejection rates across elections.¹²³ This is an irrelevant comparison, because there are many other rejection reasons, as Table 1 demonstrates.

The EOG Report makes this same error when comparing Fulton and Cobb Counties, mistakenly asserting that Cobb County had a higher signature rejection rate.¹²⁴ The EOG Report reaches this conclusion only because it confuses Cobb County’s overall rejection rate with its rejection rate for signatures.¹²⁵ The EOG Report claims that the Secretary of State chose Cobb County for an audit because:

With an almost equal number of absentee ballots, Cobb County rejected 486, or 0.3 percent. Said another way, unlike Fulton, Cobb County had actually performed signature verification. Nevertheless, the Secretary would not permit anyone to witness the signature verification audit—not even attorneys representing the sitting President of the United States.¹²⁶

The EOG Report fails to cite a source for this claim. But in the 2020 EAVS survey, an annual EAC compilation of state-by-state data related to the administration of federal elections, Cobb County reported 478 total rejected ballots.¹²⁷ In the 2020 Georgia Statewide Absentee Voter History file, Cobb County reported 412 total ballots rejected. In the 2020 EAVS, Cobb reported 104 ballots rejected for signature reasons and in the Georgia Statewide Absentee Voter History file, Cobb reported 105 ballots rejected for signature reasons.¹²⁸ This constitutes 0.07% (0.0007) of the absentee ballots returned in Cobb County. In other words, this is a signature-based rejection rate that is less than one-quarter of the rejection rate for signature reasons in Fulton County.

The EOG Report goes on to cite a speculative article posted on the MIT Election Data & Science Lab (MEDSL) website.¹²⁹ The EOG Report speculates that signature enforcement increased in the 2021 runoff election after the 2020 election.¹³⁰ The paper it cites is as unreliable as the EOG Report, however: It neglects basic facts that run counter to its narrative. For example, the

signature-based rejection rate in the 2021 runoff election was 0.27%, hardly a steep increase from the 0.15% after the general election, particularly given the difference in incentive to cure ballots after each election.¹³¹ The EOG Report speculates about the likelihood of signatures changing across elections, but fails to recognize well-known issues with signature verification—disabled, elderly, and young voters may all have trouble replicating their signature in a way that could lead to rejections. At any rate, differences in the signature rejection rates across elections hardly constitute evidence of fraud or ill intent when running elections.

This Count fails to provide any evidence of fraud or error. The evidence fails to suggest, much less demonstrate, that signature verification did not occur, when Fulton County produced essentially the same rejection rate for signature reasons as in prior elections.

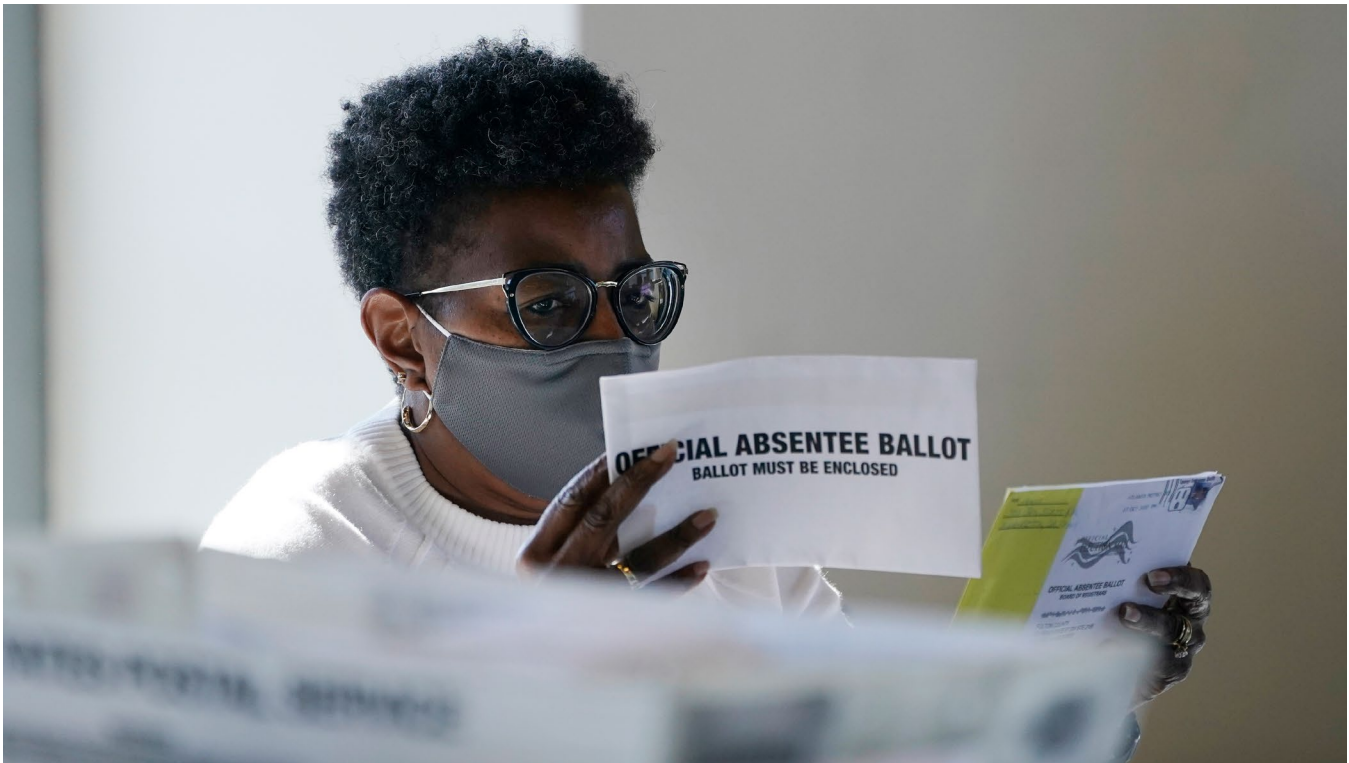
COUNT 5

It is unclear what the EOG Report alleges in this claim. In the Table of Contents, Count 5 is said to begin on page 49 and support the following allegation: “Fulton County Unlawfully Swapped Thirty-Five Advance Voting Tabulator Memory Cards During a Live Election.”¹³²

But page 49 is titled, “The State-Wide (sic) Signature Audit Was A Ruse,” and is a continuation of the claims in Count 4 that references (but does not cite to) an unknown “absentee verification study.”¹³³ The next page, page 50, appears to be Count 5, but it makes a different allegation than the one contained in the Table of Contents: “The Number of Fulton County’s Absentee Ballots Doubled After The Polls Closed on Election Day-From 74,026 to 148,316.”¹³⁴ The heading in the Table of Contents is finally addressed as part of Count 6.¹³⁵ The EOG Report on page 50 notes that Count 5 is “developing,” and offers only two images: one that shows an absentee ballot count of 74,024 and a later image that shows an absentee ballot count of 148,673, apparently confirming that this Count is intended to center on absentee ballots.¹³⁶

These two images are not evidence of misconduct or error. The EOG Report offers no specific allegation of wrongdoing and makes no attempt at any theory of misconduct or error that could affect an election.

It should be no surprise that the number of absentee ballots tabulated by Fulton County increased significantly after Election Day. Absentee ballots generally may not be tabulated in Georgia until Election Day, and though an SEB emergency rule (later codified in SB 202) allowed counties to pre-process (i.e., scan) absentee ballots prior to Election Day, it was not mandatory.¹³⁷ Given the significant increase in absentee ballots in Fulton County (and, indeed, throughout Georgia) in 2020, it would be expected that Fulton County would still be processing and tabulating absentee ballots after Election Day.



Additionally, any absentee ballots dropped off or delivered by the United States Postal Service on Election Day would still have to be signature-verified, processed, and tabulated. Given the volume of ballots at issue, that process necessarily would not occur for many ballots until after Election Day. The phenomenon of absentee ballots dropped off on Election Day is well documented and is not specific to Georgia. For example, in Maricopa County, Arizona, approximately 290,000 voters dropped off their mail ballots on Election Day in November 2022, more than the 250,000 people who voted in person on Election Day.¹³⁸

In the Fulton County 2020 election, as the EOG Report notes, approximately 28% of the vote came from absentee ballots.¹³⁹ In Georgia overall, 1,322,529 voters cast an absentee ballot—approximately 26.4% of the total vote.¹⁴⁰ In other words, there is nothing anomalous about the number of absentee ballots reported by Fulton County.

Any theory of unlawful insertion of absentee ballots would have to contend with the fact that every single absentee ballot comes from a ballot affidavit envelope, tied to a specific registered voter, with that voter's signature, and that it is public when a voter votes an absentee ballot. Voters have not come forward alleging that they did not actually vote when given credit for doing so, and certainly not in any large numbers that would support the fraud/conspiracy claims alluded to in the EOG Report.

This Count, though it is deemed “developing,” is not credible.

COUNT 6

The EOG Report claims that “[e]vidence produced by Fulton County shows that Fulton County officials fabricated tabulator poll tapes and violated Georgia laws designed to ensure the accuracy of the vote tally with respect to approximately 315,000 ballots in the 2020 election. None of these ballots can be considered legitimate.”¹⁴¹ The “evidence” the EOG Report cites for this claim is a series of accounts of tabulators from the first ballot count and purported discrepancies between the serial numbers and tabulator ID numbers.¹⁴² This claim is repeated in the affidavit for the Fulton County search warrant.¹⁴³

First, the EOG Report contends that a staggering number of ballots from Fulton County are invalid: 315,000 ballots constitute approximately 60% of all ballots in Fulton County.¹⁴⁴ This amounts to a claim that three out of five ballots cast in a county were somehow fraudulent. Further, the EOG Report’s complaints concern tabulator tapes from in-person early voting—a highly secure process in which a voter shows their ID, their ID is matched to a specific voter record, and the voter produces their ballot and scans it.

This Count exemplifies the extent to which its authors fundamentally misunderstand the purpose of the tabulator tapes. As discussed [above](#), tabulator tapes are an additional record of votes tabulated, not an authoritative record of the ballots cast in the election. For the authoritative record, election officials have both the actual ballots and the cast vote records. Once the ballots and CVRs are consulted, the tabulator tapes are merely another backup. Thus, the discrepancies in serial numbers and tabulator ID numbers the EOG Report identifies, even if accurate, would not facilitate fraud—and certainly could not suggest the votes reflected in these tapes are “illegitimate.” Instead, if true, they are likely due to an administrative error. As the search warrant affidavit notes, “Secretary of State Brad Raffensberger [sic] stated in the media he considered the unsigned tabulator tapes an administrative oversight.”¹⁴⁵

At base, neither the EOG Report nor the affidavit proposes any theory of how manipulating the tabulator tapes would be an effective method for committing voter fraud given that the physical ballots would be inspected in a risk-limiting audit and the physical ballots would be used again in a recount.

In other words, once recount of the ballots occurred and the results of the recount were certified, the tabulator tapes from the initial count are completely irrelevant. So, as the Secretary of State found, the discrepancies the EOG Report identifies are, at most, a clerical error with no consequence for the election results.¹⁴⁶

COUNT 7

This Count’s allegation that the votes from certain tabulators “have no provenance” turns on the allegation that “after numerous [o]pen public records requests . . . we were able to identify ten (10) tabulators to which 20,713 ballots/votes were attributed but no open/zero or poll close tapes were produced.”¹⁴⁷ For several reasons, that allegation does not suggest that the votes from those tabulators were falsified or even suspect.

First, this Count, like many others, has already been investigated and invalidated. In its report in response to complaints related to Fulton County’s tabulation of the 2020 results, Fulton County found that “[a]ll tabulator results for the November 3, 2020 election are accounted for as evident by records from the project on the [Election Management System (EMS)] server,” that “[m]issing tabulator tapes may have been misfiled,” and that “Standard Operation Procedures for filing and securing tabulator tapes have been revised to avoid a reoccurrence.”¹⁴⁸ This claim was also raised before the Georgia State Election Board. The SEB’s professional investigators examined this claim and responded in report SEB2023-025, published on April 9, 2024.¹⁴⁹ Investigators concluded that “[t]he allegation that Fulton County did not have records for 10 AV locations for the November 2020 General Election was **unsubstantiated**. [Fulton County] provided documentation to establish the existence of all 10.”¹⁵⁰

Despite these investigations and conclusions, at base, the EOG Report treats the fact that its authors have been unable to obtain records as reason to question the election. This is a basic logical failure that is repeated throughout the EOG Report.

As discussed above, tabulator tapes are one measure of ensuring the accuracy of the ballot count. Before in-person voting begins, election officials run a “zero tape report” on each tabulator to make sure that tabulator does not have any results already on its internal memory card—whether from test ballots or from a previous election.¹⁵¹

But the “zero tape” is not the only means of ensuring the accuracy of the number of ballots cast. For example, the ballot count on the individual tabulators can be checked against the number of voters who have checked in at the voting location and against the number of ballots. Additionally, the number of physical ballots retained by the tabulators at a voting location can also be checked against the number of voters who have checked in and shown voter identification, as Georgia law requires.¹⁵²

Each Georgia voting location is subject to partisan observation, third-party observation, and is staffed by numerous poll workers.¹⁵³ These forces together ensure strong oversight of tabulated ballots and make any claim that a bad actor could scan ballot after ballot, uninterrupted, into a tabulator, far-fetched.

As noted, professional investigators spent many hours investigating this claim and found it to be “unsubstantiated.”¹⁵⁴ But even supposing that the authors were correct—that Fulton County did not print all records associated with the ten tabulators—it would not, for the reasons above, mean that the corresponding ballots could not be otherwise validated.



This Count boils down to a public records complaint. The “evidence” offered in support of this claim is an allegation that the authors did not receive the records associated with ten particular tabulators. From this, they illogically and incorrectly conclude that the votes associated with those ten tabulators are invalid.

COUNT 8

Count 8 alleges that Fulton County destroyed roughly 374,000 ballot images created during early voting.¹⁵⁵ For starters, it would be more accurate to say that Fulton County simply did not preserve these images—and, indeed, it had no obligation to do so.¹⁵⁶

Neither Georgia rules nor statutes require preservation of ballot images.¹⁵⁷ The memory cards themselves, including the ballot image records, would be overwritten for use in future elections

once the period for recount expired, as provided by law.¹⁵⁸ (It is only as a result of amendments passed after the 2020 election that election superintendents are now required to preserve ballot images post-election.¹⁵⁹) This is because, as discussed above, the physical ballots are the source used to adjudicate post-election disputes. The physical ballots were used in the risk-limiting audit. And the physical ballots were used in the recount, not the ballot images. And, in any case, the early voting ballots were all rescanned for the machine recount.

The EOG Report attempts to establish an obligation to retain the ballots through a series of quotes from Charlene McGowan.¹⁶⁰ But it fails to cite any actual law imposing that requirement. It is not surprising that ballot image retention was not required; Georgia law during the 2020 election aligned with the laws of many states.¹⁶¹ As experts have noted, preserving ballot images is both time-consuming and requires “a baseline level of operation” for local election offices, reflecting significant trade-offs in a “chronically under-resourced” area.¹⁶²

The EOG Report’s claim concerning ballot images is repeated in the affidavit supporting the Fulton County search warrant. In that context, the Department of Justice appears to attempt to tie the claim to 52 U.S.C. § 20701.¹⁶³ But section 20701 likewise imposes no preservation obligation relevant to ballot images. That section requires preservation of “records . . . relating to any application, registration, payment of poll tax, or other act requisite to voting in such election.”¹⁶⁴ Ballot images plainly do not fit this bill; they are an additional electronic image of a ballot, not a record relating to voter registrations, poll taxes, or acts requisite to voting an election. Whether or not a ballot image is produced has nothing to do with whether a voter can register to vote or vote. The claim that ballots were not properly preserved is especially irrelevant given that the original paper ballots have all been preserved. Ballot images are just a copy of that original record.

At bottom, this Count appears to amount to a disagreement with the law governing record-retention in 2020. Subsequent amendments to the Georgia Code now require public posting of certain digital ballot images, but those amendments postdate the 2020 election.¹⁶⁵ The authors’ preferences for record keeping do not constitute a retroactive statutory requirement. The county relied on the physical ballots to adjudicate claims about the 2020 election. The images were merely additional records of those physical ballots, and their preservation was neither required nor necessary.

COUNT 9

The EOG Report claims that Fulton County “selectively and willfully destroyed” roughly 130,000 electronic ballot image authentication hash files, so-called “SHA files.”¹⁶⁶ At no point does the EOG Report actually establish any intentionality. Instead, it infers it from the authors’ rendering of what

should have happened. Moreover, the absence of the SHA files, if indeed they were not preserved, is immaterial to whether the election result could be reliably determined or verified. In the end, this Count is nothing more than a complaint about what certain experts were given in litigation.

The primary basis for this complaint is Professor Duncan Buell’s statement in the *Curling v. Raffensperger* case.¹⁶⁷ The EOG Report’s own text makes clear that the lack of SHA files in the litigation was the issue there, and Professor Buell regarded this as an impediment to “the expert analysis” in the litigation.¹⁶⁸ In connection with the actual election, the hash files for the images would only be particularly important if the county did not have access to the physical ballots. So, when Professor Buell complains that he did not have access to certain files,¹⁶⁹ his complaint is about his work as an expert in litigation. That has nothing to do with what Fulton County had available to adjudicate the outcome of the election, nor does it validate the idea that these files were necessary in the election.

In fact, Professor Buell stated that “[a]ccess to the paper ballots and scanning records and extensive testing of them is needed to provide assurance of accurate tabulations, but such access was not permitted at this stage of the litigation”¹⁷⁰—demonstrating that the paper ballots are the best evidence of the election outcome. The EOG Report itself notes that the state was reluctant to turn these files over to outside groups or parties because their public release “could endanger the security of the voting system.”¹⁷¹ But regardless of what it provided to outside groups, there is no dispute that Fulton County used the original paper ballots and scanning records to initially tabulate and then confirm the tabulation in the subsequent recount. Any hash files were immaterial to those determinations, and like other Counts, no explanation is given as to how these alleged failures facilitated fraud.

COUNT 10

Count 10 asserts that Fulton County “willfully failed to count- and effectively discarded- nearly all votes for qualified write-in candidates” cast during in-person voting.¹⁷² This Count is totally disconnected from any theory of fraud, coherent or not, and demonstrates the EOG Report’s tendency to cast any potential irregularity as reason to doubt the election’s outcome—despite the absence of, or contrary, evidence.

Georgia allows qualified write-in candidates to compete in general election contests without having won a partisan primary.¹⁷³ These candidates must, however, go through a process to become “qualified” write-in candidates.¹⁷⁴ Only write-in votes for qualified write-in candidates are tabulated. This means that if in the 2020 presidential contest, a Fulton County voter had

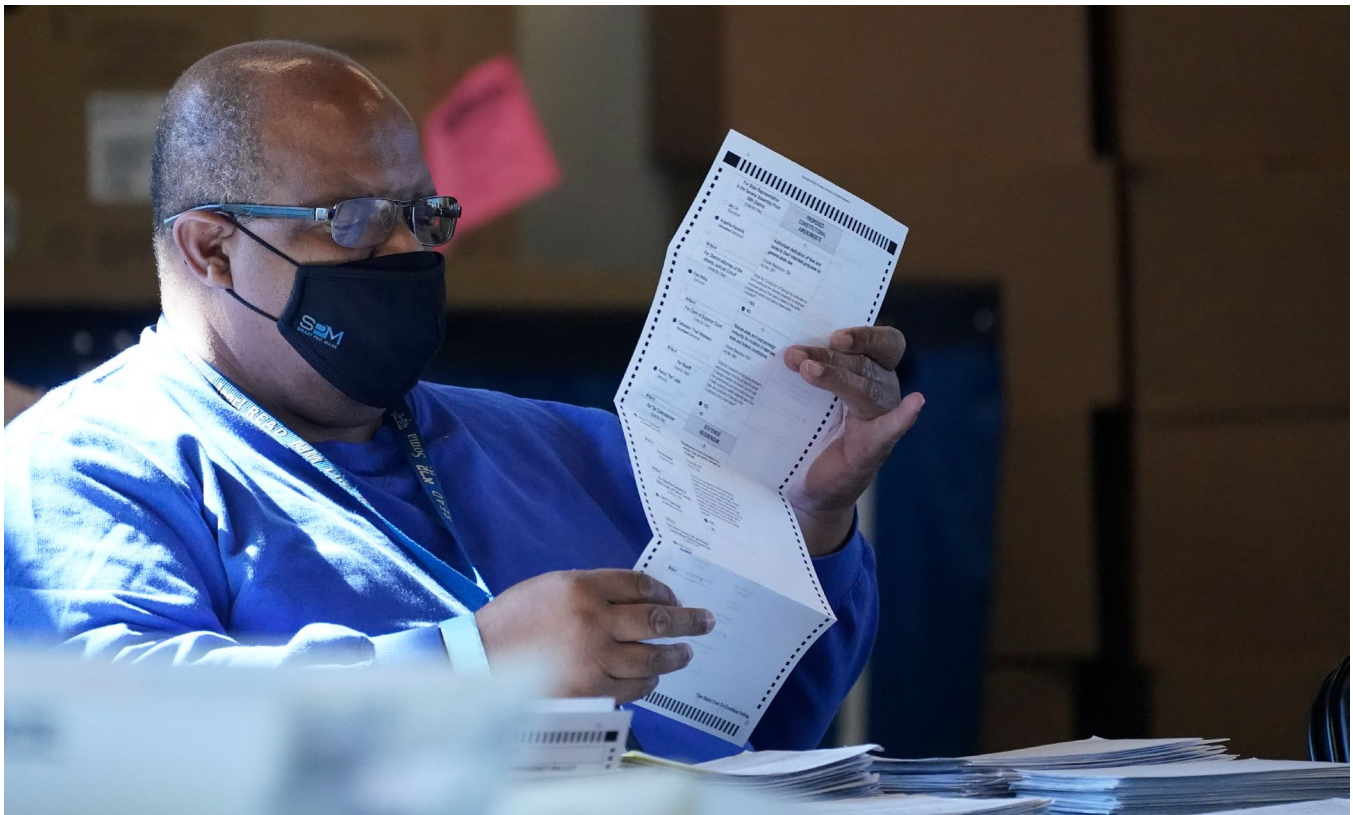
written in “Luke Skywalker,” their vote would not have been recorded as a vote for any candidate, because Luke Skywalker was not a qualified write-in candidate.¹⁷⁵

Tabulation scanners cannot read handwriting. Accordingly, if the ballot has a write-in candidate, that write-in must be physically or electronically adjudicated by election workers who read the write-in and determine if it should be awarded to a qualified write-in candidate.

It is arduous for a write-in candidate to compete. In the presidential contest, write-in candidates have not historically impacted the outcome. No write-in candidate has won a significant election in Georgia in the twenty-first century.

The EOG Report alleges in Count 10 that somebody “willfully” committed a crime to obstruct the success of a write-in candidate.¹⁷⁶ But the EOG Report fails to establish why a Georgia election worker—under observation from fellow election workers—would commit a crime to deprive a write-in candidate of the infinitesimally small chance of winning an election.

Indeed, the only evidence that the EOG Report cites is a Dec. 10, 2020 email citing a “mistake.”¹⁷⁷ That scant evidence itself belies the idea that an election worker “willfully . . . discarded[] nearly all votes for qualified write-in candidates.”¹⁷⁸ And the EOG Report acknowledges that some qualified write-in candidates did receive votes in Fulton County.¹⁷⁹



COUNT 11

Count 11 alleges that the Center for Tech and Civic Life (CTCL) “administered and controlled nearly all facets of the Fulton County 2020 General election.”¹⁸⁰ To make this claim, the EOG Report cites emails and documents, but never articulates any theory of what the individuals with the alleged inappropriate access did, how they could have influenced the election for a particular candidate, or why individuals committed to nonpartisan election administration would influence the election results for a particular candidate.¹⁸¹ At most, the EOG Report’s complaint here seems to be a dispute over municipal law approval processes; it is unclear how, if at all, it could connect to the EOG Report’s larger contentions.

Like so many of the other counts in the EOG Report, it appears that the authors simply did not like that consultants were used to help Fulton County administer a historically challenging election. But the EOG Report offers no reason to suspect any irregularity by these consultants, nor to suspect that the consultants in any way affected the results.

In fact, there is clear statistical evidence that grants from the CTCL did not cause Biden to receive a larger share of votes. Lal and Thompson (2024), a paper published in the Proceedings of the National Academy of Sciences, examined the connection between CTCL grants to election jurisdictions, overall turnout, and Democratic margin of victory, concluding that “[w]hile Democratic counties were more likely to apply for a grant, we find that the grants did not have a noticeable effect on the presidential election.”¹⁸² In other words, for all of the furor, alleged impropriety, and allegations of inappropriate influence, there is no statistical evidence that the CTCL grants affected the results of the election anywhere, much less in Fulton County.

COUNT 12

The EOG Report’s Count 12 is also a grab-bag of disconnected complaints that do not indicate fraud or errors in the results. This count centers on State Farm Arena and poll worker Ruby Freeman—both the subjects of many debunked conspiracy theories.¹⁸³

None of the investigations of conspiracy theories regarding State Farm Arena have uncovered malfeasance or fraud. The Secretary of State opened a formal investigation after social media posts that purported to document Ruby Freeman “confessing” to improprieties during tabulation at the arena.¹⁸⁴ Secretary of State investigators, FBI agents, and agents from the Georgia Bureau of Investigation reviewed the surveillance footage from State Farm Arena in its entirety and interviewed all relevant witnesses.¹⁸⁵ Their investigation concluded that allegations about fraud at the arena were unsubstantiated: Contrary to complaints, no election observers had been told to

leave, no ballots had been hidden and later counted out of sight, no repeat scanning of ballots had occurred, and the social media posts attributed to Freeman were fake.¹⁸⁶ Those same claims were examined again in a broader Secretary of State investigation into Fulton County tabulation and audit issues, and investigators again found no support for claims that “suitcases” of ballots were surreptitiously delivered or that poll watchers had been ordered out of State Farm Arena.¹⁸⁷ And, independent of the state investigations, in 2023, a federal jury awarded plaintiffs including Ruby Freeman with more than \$148 million for defamation after former New York City Mayor Rudy Giuliani publicly repeated the State Farm Arena claims and accused Freeman and others of election fraud.¹⁸⁸

The EOG Report’s repackaging of those allegations here fares no better. In this iteration, the EOG Report asserts that (1) at some point on election night, observers were told that Fulton County staff intended to stop counting for the night, when in fact staff continued to count; (2) Ruby Freeman operated a scanner she allegedly was untrained and unauthorized to use; and (3) four unsealed mail carts containing absentee ballots “with no chain of custody or provenance” appear in a video taken the morning of Election Day.¹⁸⁹

Count 12’s first complaint, about observers being told that counting would be stopping for the night, even if it were true, establishes nothing relevant. The EOG Report offers no evidence that anyone was prevented from continuing to observe.¹⁹⁰ It also provides no indication that anything occurred other than the reversal of a decision to stop counting. Indeed, the EOG Report appears not to expressly endorse prior conspiracy theories about fake ballots being counted after counting resumed,¹⁹¹ perhaps because the surveillance video of State Farm Arena shows that is not the case.¹⁹² Instead, the EOG Report apparently opts to leave this claim to the reader’s imagination, suggesting that fraud may have been the result, rather than endorsing any theory.¹⁹³ Particularly given the presence of video recording (which is the basis of another complaint in this Count), staff personnel, and the possibility of observers who simply chose not to leave or returned, this event hardly establishes even an opportunity for malfeasance. And, of course, the EOG Report does not connect this event, even speculatively, to any actual error or inconsistency.

The Count’s second complaint is a confusing and completely unsupported assertion that Ruby Freeman was neither trained nor authorized to operate a scanner.¹⁹⁴ The EOG Report provides no indication how this might be relevant; indeed, though it is showcased at the top of the Count as a central aspect of the problems at State Farm Arena, it is only briefly addressed as “another indicator”¹⁹⁵—but of what is unclear. In any case, there is no evidence that this allegation is true, much less an indicator of anything.

The Count’s final complaint is that a video taken Election Day morning shows four mail carts containing absentee ballots; the carts do not appear to be sealed.¹⁹⁶ Even assuming that the carts contain absentee ballots (likely in their ballot envelopes), this does not suggest fraud or malfeasance. First, as the EOG Report concedes, this is the beginning of the first video captured for Election Day.¹⁹⁷ There is no indication that these carts are anything other than what they appear to be—a batch of legitimate absentee ballots, in postal carts,



delivered for processing. There is no indication at all that these ballots are of questionable provenance or that Fulton County officials did not know where these ballots came from, despite that provenance being “unknown” to the authors of the EOG Report. Moreover, the photograph reveals no one in the room, and the door to the room is closed; the EOG Report provides no reason to conclude that this video was not taken from a secure location. And there is another strong indicator of the weakness of this complaint: The complaint relies heavily on notes from Seven Hills Strategy consultant Carter Jones.¹⁹⁸ But Carter Jones ultimately concluded that “Fulton’s document retention processes at State Farm were adequate for protecting ballots from tampering.”¹⁹⁹

Notably, the EOG Report invokes as support for this Count the inaccurate assertion that Fulton County did not conduct signature verification—further undermining its relevance and probative value. Finally, as discussed, even if the ballots in these carts were of questionable provenance, injection of absentee ballots into the election at this scale is implausible.

This Count closes with an unexplained graph purportedly reflecting the number of absentee ballots counted per day. The relevance of this image is left to the reader’s imagination.

COUNT 13

Count 13 asserts that Fulton County performed no reconciliation of the number of votes cast and the number of voters “checked-in” as having voted.²⁰⁰ This is simply false. Fulton County’s reconciliation data is publicly available.²⁰¹

And there is simply no evidence that Fulton County did not do what the EOG Report says they should have done. The only evidence the EOG Report cites as establishing that no reconciliation occurred is an email between two Dominion employees asking if the state and county had

“reconcile[d] the VR system total votes cast with the tabulation system total votes cast.”²⁰² The email does not even identify Fulton County as one of the counties that might not have done this—instead, it points to Chandler, Cobb, and Gwinnett.²⁰³

The EOG Report cites additional but irrelevant evidence: It includes a statement regarding discrepancies that were caught during the risk-limiting audit, which are irrelevant to whether reconciliation was performed.²⁰⁴ It also includes an assertion that uncounted ballots were found during post-election audits in other counties, but this assertion sheds no light on what happened in Fulton County.²⁰⁵

The Count finally includes an assertion that is either incomplete or incomprehensible: That the purported failure to perform a reconciliation in Fulton County “is because counties do not have access to the poll-pad check-in lists in real time (numbered list of voters), which are under the sole control of the Secretary of State.”²⁰⁶ This unexplained assertion is especially confusing because, later, the EOG Report appears to (incorrectly) assert that only a paper list reflecting the order in which voters appeared to vote qualifies as a permissible “numbered list of voters” under state law.²⁰⁷ Either way, Fulton County did in fact have access to both the poll pad data and the voter registration system that tracked the voters who voted, and it produced a reconciliation showing no reason to doubt the outcome of the election.²⁰⁸

COUNT 14

As with multiple previous Counts, this Count appears to be incomplete. The cited statutory language cuts off abruptly (“or makes or uses any false writing or document, knowing the same t [sic]”).²⁰⁹ The alleged wrongdoing is that in the 2022 general election, not 2020, “officials in Spalding County discovered a ballot printed on looseleaf paper that had been successfully cast and counted.”²¹⁰ The EOG Report offers no citation for the allegation, no explanation as to the discovery of the ballot, and no analysis of why this would be unlawful. There is no explanation for what one alleged misprinted ballot in Spalding County in the 2022 election, not the 2020 election, has to do with a report on “Fulton County 2020 General Election.”

For evidence, the EOG Report offers two images, one of which is illegible, and one of which appears to show that Fulton County purchased VoteSecure paper.²¹¹ The EOG Report offers no explanation as to why this is problematic or even wasteful, and they certainly do not say why such a purchase would be unlawful or supports any of its allegations.

The section concludes, “[a]fter further review, it was found that counties had been purchasing VoteSecure IR paper from Dominion for each election. For example:”²¹² But that is it. That is the end.

The EOG Report claims that its Counts go to widespread problems or illegal acts by Fulton County in the administration of the November 2020 election. But Count 14 only offers an allegation that Spalding County printed one ballot on the wrong paper.

COUNT 15

Count 15 asserts that Pro V&V’s post-election forensic audit was a “ruse,” if, “it was performed at all.”²¹³ This count arises from one of the many steps the Georgia Secretary of State took to assure the public that there was no reason to doubt the outcome of the 2020 election. As mentioned previously, Georgia twice recounted the state’s nearly five million ballots—once by hand and once by machine. It did that under the observation of multiple third-party observers (Seven Hills Strategies and the Carter Center), observers from both political parties, as well as the thousands of Georgians who participated in conducting the recounts. Both of those recounts affirmed the outcome.

Secretary of State Raffensperger also commissioned Pro V&V to do “an audit of a random sample of [election] machines to confirm no hack or tamper.”²¹⁴ Pro V&V was, and remains, a U.S. Election Assistance Commission-accredited voting system testing laboratory.²¹⁵ As such, Pro V&V is qualified to determine if a tabulation machine or other piece of election equipment has been altered from its certified state or otherwise lose approval for use in an election. Pro V&V is a widely used and widely respected elections technology company.

For its audit, Pro V&V randomly selected equipment from Cobb, Douglas, Floyd, Morgan, Paulding, and Spalding Counties. Pro V&V “found no evidence of the machines being tampered.”²¹⁶ Further, Pro V&V concluded that:

All of the software and firmware on the sampled machines was verified to be the software and firmware certified for use by the Office of the Secretary of State. Coupled with the risk-limiting audit of all paper ballots relying solely on the printed text of the ballots, these steps confirm the assessment of the Cybersecurity and Infrastructure Security Agency that there are no signs of cyber attacks or election hacking.²¹⁷

The EOG Report takes issue with the qualifications of Pro V&V, as well as the company’s methodology.²¹⁸ But the EOG Report does not explain how the Pro V&V audit would constitute a violation of Georgia law. Georgia law did not require this audit. Rather, the Secretary of State initiated this audit as an additional safeguard in his investigation of allegations of machine manipulation—claims that, at the time, were made about the entire state (and entire country), not just Fulton County.

Moreover, the EOG Report purports to be evidence of the errors or wrongdoing of Fulton County. But in this extra audit, Pro V&V did not examine any machines from Fulton County. The EOG Report makes no effort to draw a connection to anything done by Fulton County.



The EOG Report also boldly asserts—but without meaningful evidence—that the audit might not have happened at all.²¹⁹ The EOG Report makes this assertion in the face of Pro V&V’s report, which appears in official records filed in post-election litigation.²²⁰ While the EOG Report contends that five out of six counties “claimed that they were not aware of an audit being performed by Pro V&V,”²²¹ the examples of correspondence they

point to do no such thing. Instead, the two examples they reproduce are public records responses saying that the counties found no records responsive to requests regarding the audit.²²² While the EOG Report does not reveal the date of either response, one response notes that the request itself was not made until almost two years after the election. The other response notes that the *county* did not have an audit of machines following the 2020 election.²²³ But the audit at issue was conducted by the Secretary of State, not the county.

Finally, as has been noted throughout this analysis, Georgia used paper ballots in the November 2020 election, and the paper ballot recounts affirmed the results of the original count.

COUNT 16

The EOG Report claims that Fulton County falsified records in the post-election audit—including supposedly adding roughly 6,700 “fictitious absentee ballots and votes for the presidential contest.”²²⁴ Yet, despite claiming that there is proof these “fictitious ballots” were intentionally added to the vote count, the EOG Report fails to provide any evidence of fraud or intentional behavior. Further, the EOG Report fails to explain, even on a basic level, what facet of a conspiracy to steal the election would be advanced by adding ballots to the hand count audit. As evidence of fraud, the EOG Report cites batch tally sheets that reflected inaccurate results.²²⁵ But it offers no rationale explaining why ballots would be added or misrepresented in a risk-limiting audit, given that the ballots were going to be recounted after the audit, or how adding ballots in a risk-limiting audit could change the outcome of the election, given that a risk-limiting audit is performed for comparison and validation purposes. The EOG Report also fails to recognize the limitations of humans and that mistakes get made when hand counting ballots.

Risk-limiting audits are intended to confirm a winner. A risk-limiting audit is a method to ensure that at the end of the canvass, “the hardware, software, and procedures used to tally votes . . . found the real winners. Risk-limiting audits don’t guarantee that the electoral outcome is right, but they have a large chance of correcting the outcome if it is wrong.”²²⁶ That is what this risk-limiting audit did. But minor errors, like data-entry errors, can occur in a risk-limiting audit.²²⁷ Requiring perfection in a hand audit is a fool’s errand. People make mistakes; those mistakes will manifest in the hand count audit. The EOG Report demands perfection but fails to produce evidence that perfection is an achievable objective. As a result, its conclusion that errors must indicate fraud is especially weak.

The EOG Report asserts that the errors in the audit must have been intentional, because the wrong numbers were entered into the batch tally sheets.²²⁸ The EOG Report asserts that because the errors were made at this point in the process, rather than when data was entered into a computer, they cannot have been anything but intentional misrepresentations.²²⁹ But the EOG Report never explains why data-entry errors could not have been made on the batch tally sheets—and, indeed, it is easy to see how human error could occur in the process of recording the tally for a batch of ballots.²³⁰

Moreover, in Count 16, the EOG Report attempts to extrapolate from their “falsified records” in the Fulton County hand count audit to the election results in Georgia overall.²³¹ As an initial matter, this does not make much sense. There could have been errors in the hand count of ballots, but the first tabulation and recount were tallied using scanners. The authors of the EOG Report never demonstrate that the ballots they dispute in the hand count have any connection to the original count or in the recount—especially outside of Fulton County.

Setting aside this issue, the EOG Report’s extrapolation is based on a fundamental misunderstanding of the basic statistical concepts that underlie a risk-limiting audit. The authors write that “[w]e can use the same mathematical basis as the Risk Limiting Audit by using Fulton County’s rate of error—and extrapolate.”²³² It is unclear what “mathematical basis” the authors are referring to. It seems likely that the EOG Report is referring to the fact that risk-limiting audits often take random samples of ballots and then extrapolate from those random samples to the population of all ballots. The random sampling is essential to justify this extrapolation. If a sample is taken randomly then, on average, the ballots sampled and analyzed will be the same as the ballots that are not sampled.

But Fulton County ballots are neither a random sample nor representative of ballots from the entire state of Georgia. In fact, there is good reason to expect that Fulton County would have a systematic difference in its election results from other counties. It is well known, for example, that Fulton County tends to have more Democratic support than other Georgia counties.²³³

Because the Fulton County ballots are not representative, there is no “mathematical basis” to extrapolate from an analysis of Fulton County ballots to an overall error rate in the state. As a result, it is simply inaccurate for the EOG Report to conclude that they have evidence that the “error rate is determinative.”²³⁴

COUNT 17

Count 17 also asserts “intentional” tampering with the results of the election in Fulton County, this time supposedly through intentional double-scanning of ballots.²³⁵ As with many of the claims in this Report, this claim has already been investigated and dismissed by the Georgia State Election Board. The authors are simply unhappy with the investigatory findings.

Investigation report SEB2023-025 notes that the Secretary of State “sent three (3) investigators to the Fulton County Elections Office to conduct an independent review of the batches of ballot images identified by Complainants.”²³⁶ The investigators found that Fulton County did double-scan some of the paper ballots, but that this resulted not from intentional misconduct, but from human error and poor process design.²³⁷



The findings of the investigators are consistent with the conclusions of the State Election Board’s court-appointed monitor who was present throughout Fulton County’s administration of the election, as well as the findings of a team of independent observers.²³⁸ The EOG Report ignores the conclusions in both of those reports. It also ignores the ultimate, and very important, conclusion of the State Election Board’s investigation: “These investigative findings do not affect the accuracy of the results of the 2020 General Election in Fulton County, which were confirmed as accurate by both the RLA and the Recount.”²³⁹

Additionally, this claim is yet another instance in which the EOG Report ignores the two post-election recounts of the paper ballots. Even if Fulton County had double scanned a small number of ballots during the original tabulation of the ballots, that error could be identified and corrected during the second machine count and hand count. And even if Fulton County made similar errors in the recount, there is no evidence that any such errors put the result in question. In fact, the occurrence of similar mistakes in the original vote count and the recount supports the proposition that those mistakes were due to human error, not fraud or conspiracy.

COUNT 18

The EOG Report claims that “Fulton County is missing 17,852 ballot images for the candidate-requested recount of the November 03, 2020, General Election” because Fulton produced “510,073 of the 527,925 cast vote records” in response to requests made in litigation.²⁴⁰ This claim is removed by years from the 2020 election and is not an allegation of fraud or error in the conduct of the election. Contrary to the EOG Report’s misleading contention, ballot images were neither required to be maintained nor public records under Georgia law in 2020, though they are now.²⁴¹ There is thus no reason to suspect misconduct of any kind based on this allegation.

Moreover, as noted above, it is unclear how any failure to preserve ballot images could facilitate fraud. Ballot images are one of at least three records of a vote; two others, the cast vote record and the ballot itself, would still exist. At base, as in many other sections of the EOG Report, there is no attempt to connect this allegation to any other that would suggest fraudulent conduct or significant (or in this case, any) error. Instead, this appears to be yet another public records complaint repackaged as a complaint about the election.

COUNT 19

Count 19 alleges that Georgia officials impeded the State Election Board’s investigation of several of allegations set out in the EOG Report.²⁴² As discussed throughout this analysis, the underlying allegations of the EOG Report lack merit, and this Count simply takes issue with certain legal interpretations asserted during the resolution of those complaints. It adds nothing of relevance.

COUNT 20

Count 20 claims that “encryption keys” were left “unprotected and in plain text.”²⁴³ Using these keys, the EOG Report claims, is enough to “provide access to all tools and information . . . necessary to manipulate, fabricate, produce, and/or replace election results.”²⁴⁴ The EOG Report goes on to claim that “[a] nefarious actor need only get unsupervised access to a tabulator memory card to potentially exploit these vulnerabilities, or a vendor with inside access could modify the electronic tallies at will, change the running code on these systems, and compromise the integrity and outcome of an election.”²⁴⁵

The EOG Report fails to provide evidence that any encryption keys were used to manipulate the election results. The EOG Report provides no evidence, nor even speculation, about how an actor would gain access to these files or how they would use the encryption key to modify the election results.

The EOG Report also fails to point to a single actor or group who had access to the keys and could have plausibly manipulated the results.

It is implausible that anyone with the encryption keys could actually change the results of the 2020 presidential election. Manipulation of the tabulation results on a machine would not be difficult to detect where, as in Fulton County, paper ballots are available and two recounts were conducted. The machine tabulation corresponds to a particular scan of the ballots. If there were a new scan of the ballots, as here, then there would be a new tabulation. And, as discussed above, there was a full hand count of the ballots against which the machine results were compared.

COUNT 21

This Count claims that “[b]ased on official data from the Election Assistance Commission (‘EAC’), the state of Georgia and Fulton County had amongst the dirtiest voter rolls in the country with more people registered to vote than the eligible population.”²⁴⁶

By “dirtiest” it appears that the EOG Report is complaining that the number of registered voters in Georgia and in Fulton County exceeded the size of the Citizen Voting Age Population (CVAP). The EOG Report claims that “[t]his is precisely what the National Voter Registration Act (“NVRA”) and the Help America Vote Act (“HAVA”) sought to prevent.”²⁴⁷

This is false. The EOG Report misunderstands the process for registration, the requirements for list maintenance from the NVRA and HAVA, and how states generally manage their voter files. We will consider these misunderstandings in order.

It is important to recognize that having many registered voters does not facilitate voter fraud. To vote either early, in person, or on Election Day in Georgia, voters have to show photo identification.²⁴⁸ To request an absentee ballot, a voter has to provide detailed information about themselves and their signatures are verified.²⁴⁹ The EOG Report never actually gets specific about how Georgia’s alleged “dirty” voter rolls lead to fraud. Instead, it appears to be yet another complaint the authors have about election administration in Georgia—one they do not even bother to relate to allegations of fraud or manipulation in the 2020 election.

Nevertheless, as discussed below, Georgia’s voter registration rates are expected, given its lawful (and legally required) procedures for registering voters and list maintenance.

Georgia Uses Automatic Voter Registration. Beginning in 2016, Georgia implemented Automatic Voter Registration (AVR).²⁵⁰ When voters go to the Department of Driver Services (DDS) in Georgia, eligible voters (confirmed by showing documentary proof of U.S. citizenship and Georgia residency)

are automatically registered to vote and already registered voters have their voter registration updated.²⁵¹ AVR enables citizens to register to vote when obtaining identification, or exactly at the moment where they are providing evidence to demonstrate their identity and that they are eligible to vote. Because AVR requires citizens to opt out to not be registered, this will result in more people being registered to vote. AVR has other benefits, including ensuring that when registered voters move and obtain a new address, their information is automatically updated in the voter file.

The NVRA and HAVA Regulate When and How List Maintenance Occurs. While the NVRA and HAVA require states to conduct list maintenance, they also restrict how and when voters can be removed from the voter rolls and mandates specific procedures for removal, which are designed to ensure that eligible individuals are not removed from the rolls based on inaccurate indicators that they have, for example, moved. In Georgia, as elsewhere in the country, voters who have potentially moved or voters who have been inactive for two election cycles are sent notices.²⁵² If registered voters fail to respond to these notices, they are placed on an “inactive” voter list.²⁵³ Under federal law, only if they fail to vote in two subsequent federal general elections may they be removed from the list of registered voters.²⁵⁴ This is necessarily a slow process. And given that systematic list maintenance is largely restricted by the NVRA during election years, it is not unusual for voter rolls to grow faster in those years.

Automatic Voter Registration and List Maintenance Regulations Grow Voter Files Particularly in

Fast Growing States. Georgia’s population grew rapidly from 2010 to 2020, with a 15% increase in its CVAP.²⁵⁵ At the same time, policies like Automatic Voter Registration ensure that most eligible voters who interact with the DDS will be registered. But if those registered voters move from the state or a county, it will take at least two federal general election cycles to remove them from the voter file, unless the voter confirms they have moved in writing. The number of registered citizens may therefore exceed the CVAP. This is the result of how federal law is designed.²⁵⁶ Table 2 (right) shows the share of the CVAP that has been registered in Georgia from 2010 to 2020.

Table 2

Percentage of Citizen Voting Age Population (CVAP) Registered

YEAR	% CVAP
2010	78%
2012	80%
2014	88%
2016	95%
2018	97%
2020	102%

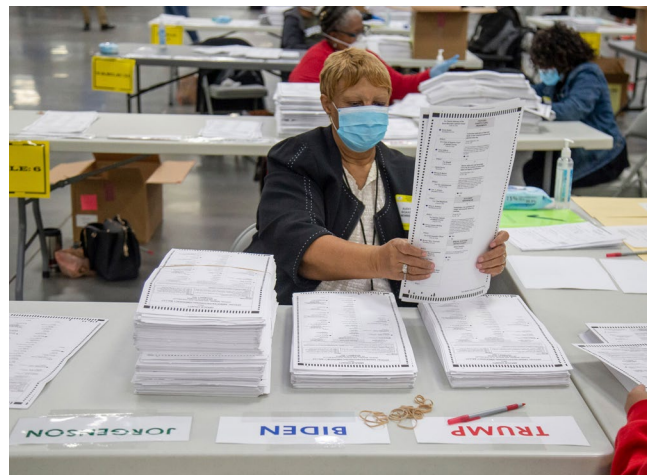
Source: U.S. Census Bureau

This is not evidence of nor does it enable fraud. The EOG Report does not explain why this Count would enable fraud, given the safeguards discussed above on ensuring that only eligible individuals are registered to vote and checks against double-voting, among others. Far from explaining a conspiracy that would elude these safeguards, the EOG Report merely complains about the increased registration rate in Georgia and Fulton County resulting from AVR.

COUNT 22

Count 22 asserts that an unknown number of test ballots were included in the recount and that these purported test ballots were intentionally injected into the vote count.²⁵⁷ The EOG Report also contends that an outcome-determinative number of test ballots could have been included, based on the factually inaccurate assertion that Fulton County lacks a record of the number of voters who voted in the election.²⁵⁸

The EOG Report appears to concede that, if Fulton County has a record of the number of voters who voted in the election, any inclusion of test ballots sufficient to cast doubt on the outcome would be identified through reconciliation processes.²⁵⁹ That is true. What is false is the EOG Report's assertion that Fulton County was unable to or did not conduct such a reconciliation.²⁶⁰ As a result, there is no reason to doubt the outcome of the election, even if the EOG Report correctly identified test ballots.



But in any case, the allegation that Fulton County counted test ballots appears to be false, as well. First, this claim was investigated by the SEB, which found no evidence of test ballots being included in the ballots counted. “Investigators did not find evidence to substantiate Thorne’s allegation that test ballots were ‘lost’ or that they were mixed in with voted ballots and counted. Investigators also reviewed security video from GWCC for the relevant time period and did not observe the activity that Thorne reported.”²⁶¹

And there is no reason to believe that the ballots the EOG Report identifies are test ballots, much less that *all* the ballots it identifies are test ballots. For example, in several cases, the EOG Report contends that a ballot is identifiable as a test ballot because there is only one selection on it.²⁶² But

voters regularly vote fewer than all contests; some even vote blank ballots, sometimes as a form of protest. Notably, most, if not all, of the identified “test” ballots contain no vote for president, and no vote for most candidates—so the effect those ballots would have on the presidential election is zero.

COUNT 23

Count 23 asserts that Fulton County did not maintain “a record of the voters who checked-in [sic] and cast ballots” during early voting in the 2020 election, and that, as a result, reconciliation was not performed.²⁶³ The EOG Report provides no evidence for this assertion, and it is plainly false.²⁶⁴ Indeed, monitor Seven Hills noted some issues with the check-in procedures—reflecting that check-ins did, in fact, occur.²⁶⁵ The EOG Report’s real complaint seems to be that the check-in document was not produced in a particular format. But the EOG Report shows no evidence that this had any impact on any process or safeguard for the election, and all the evidence, including multiple audits and investigations, indicates that it did not.

COUNT 24

Count 24 asserts that Fulton County failed to maintain “daily recap” sheets required by Georgia election regulations.²⁶⁶ They offer no evidence in support of this claim other than the EOG Report’s claim that “[a]n exhaustive months-long effort pursuing the recap sheets for advance voting from both Fulton County and the Secretary of State’s office yielded not one complete auditable set for any of the thirty-five polling locations.”²⁶⁷

As with so many other claims in the EOG Report, this appears to be an attempt to recast a public records complaint as reason to doubt the election. The fact that the authors have not received the materials from a long-past election does not mean those materials were never created, much less that there was a violation of law, much less that there is evidence of fraud. And, even if recap sheets were not kept, there is no evidence that this facilitated any error or fraud; to the contrary, as with every other claim, all the relevant evidence suggests that the outcome of the election was sound.

COUNT 25

In Count 25 the EOG Report claims that, “[a]ccording to Fulton County and the State’s own records, 148,319 absentee ballots were counted for the 2020 General Election, but only 125,784 voters were recorded as casting a ballot. Therefore, 25,534 more ballots were counted than voters given credit for voting.”²⁶⁸

Without providing any details about where these numbers came from, the EOG Report is unsparing in what its authors think this disparity means for the result of the 2020 election. They declare that:

“One person, one vote” is both a foundational election accounting principle and a cornerstone of U.S. civil rights with regard to equal protection. Both are applicable here. First, election accounting is really simple. Every ballot that is cast must be attributed to a registered voter. There are only two metrics: voters and ballots, and they must be equal.²⁶⁹

The EOG Report goes on to say that:

Fulton County’s shortfall of 22,534 voters, an amount nearly double the margin of victory (11,779), should have been deemed a palpable error resulting in an investigation. Until it was resolved no votes should have been recorded. Votes without voters are inherently invalid. Invalid votes disenfranchise and dilute validly cast votes.²⁷⁰

The EOG Report ends its discussion here, concluding that it has uncovered a disparity in returned absentee ballots so severe that it should have invalidated the election.

These allegations are not supported by this “disparity,” however, which has a simple explanation that reveals a profound flaw in the EOG Report’s logic and analysis. The EOG Report counts voters through Election Day, but ballots only through Oct. 28, 2020.²⁷¹ The 125,784 mail-in ballot figure corresponds to the total number of ballots returned and processed in Fulton County up until Oct. 28, 2020.²⁷² What the EOG Report has discovered is not a conspiracy to stuff ballots, but instead that ballots were processed (and voters given credit for voting) if returned on Oct. 29, 30, and 31, and Nov. 1, 2, and 3. Georgia law allows for mail-in ballots to be returned up until 7 p.m. on Election Day, so ballots would have legally been returned on all those dates.²⁷³

To reach this conclusion, we found the data set that the authors of the EOG Report used to reach their conclusion. The actual URL of the data set has changed, but we were able to find the correct data set through a series of Google searches. The data set that led to the 125,784 ballot count claim are found at [this link](#).

We downloaded the data and, like the image in the EOG Report²⁷⁴, we tabulated the total ballots returned by mail and the total ballots returned by drop box. Specifically, we used the column “Processed Credit for Voting Ballots” and calculated the total number of ballots returned before Oct. 29. We replicate the number of absentee ballots in the EOG Report exactly: 125,784 ballots.

This data set is incomplete. From Oct. 29 to Nov. 3, no ballots are recorded as being “Processed Credit for Voting Ballots.” But this cannot be correct. For example, from the same website we found a data set that tabulated the total number of ballots returned at drop boxes. From drop

boxes alone, we find that there were 14,275 ballots returned at drop boxes over this time period and which would have been processed as voting ballots. In short, there is no need to appeal to constitutional principles. Instead, the authors merely needed to perform simple data analysis.

COUNT 26

Count 26 includes no analysis. It is simply an assertion, without evidence, that “[t]he ballots counted for the Original November 3, 2020 Election, should match almost perfectly with the ballots counted for the Recount as the same paper ballots are being scanned and counted by the same machines; however, thousands of ballots are unique to each, which is not possible by natural means or mistake.”²⁷⁵ Because the Count includes no analysis or evidence, or even clarity on what “unique to both” could mean, it provides no basis to question the results of the election or suspect fraud.

“Pristine Ballots”



The affidavit in support of the FBI’s raid on the Fulton County election hub repeats the claim that Fulton County counted “pristine” (i.e., unincreased, and thus purportedly suspect) absentee ballots.²⁷⁶ In a previous incarnation of this allegation, Georgia investigators interviewed the complainants, inspected the specific boxes and batches they identified, and examined roughly 1,000 absentee ballots and ballot images.²⁷⁷ They were unable to find ballots matching the witnesses’ descriptions or otherwise substantiate the claim that counterfeit ballots were counted in Fulton County.²⁷⁸ As discussed [above](#), there are several safeguards against injection of ballots into the election, including a reconciliation of the number of voters and the number of ballots in the election. But neither the claimants involved in previous “pristine ballot” claims nor the authors of the EOG Report have identified a meaningful discrepancy between the number of voters and the number of ballots.

CONCLUSION

As the foregoing analysis demonstrates, the EOG Report suffers from extensive analytical and factual flaws. None of its Counts describe evidence of fraud, malfeasance, or errors that would have affected the outcome of the election. It is deeply concerning that its allegations appear to have served as the core of the affidavit supporting the Fulton County search warrant in January 2026. The EOG Report and surrounding circumstances demonstrate the importance of sound analysis and election administration expertise in evaluating claims of election tampering or error. The 2020 election was free, fair, and secure. This was true in Fulton County and across the country.



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258. *Id.* at 245.
259. *Id.*
260. *Statement of Votes Cast, Fulton County, Georgia, General Primary-Nonpartisan General Election* (Fulton County Nov. 3, 2020) (retrieved Nov. 12, 2020) ([link](#)); Ga. Sec’y of State, *List of Voters Voted in Nov. 2020* ([link](#)); Ga. Sec’y of State, *Recount Ballots Cast by County Compared to ENet Credit* ([link](#)).
261. Ga. Sec’y of State, *Report of Investigation SEB2020-203* at 10.
262. *E.g.*, EOG Report at 242.
263. *Id.* at 251. *But see Statement of Votes Cast, Fulton County, Georgia, General Primary-Nonpartisan General Election* (Fulton County Nov. 3, 2020) (retrieved Nov. 12, 2020) ([link](#)); Ga. Sec’y of State, *List of Voters Voted in Nov. 2020* ([link](#)); Ga. Sec’y of State, *Recount Ballots Cast by County Compared to ENet Credit* ([link](#)).
264. *Cf. Statement of Votes Cast, Fulton County, Georgia, General Primary-Nonpartisan General Election* (Fulton County Nov. 3, 2020) (retrieved Nov. 12, 2020) ([link](#)).
265. See, e.g., SHS Report at 9.
266. EOG Report at 254.
267. *Id.* at 257.
268. *Id.* at 258.
269. *Id.* at 259.
270. *Id.*
271. *Id.* at 260.
272. See *id.*
273. Ga. Code § 21-2-386(a)(1)(F).
274. EOG Report at 260.
275. EOG Report at 261.
276. Fulton County Affidavit at 12-15 ¶¶ 52-75.
277. Ga. Sec’y of State, *Report of Investigation SEB2020-203* at 11-16.
278. *Id.* at 16.



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