



## OFFICE OF INSPECTOR GENERAL

### SUMMARY OF INVESTIGATION

Prepared by Chris Harvey, Deputy Inspector General

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CASE NAME: Hall County Presidential Preference Primary  
SEB CASE #: 2008-000020  
INVESTIGATOR: Steve McBrayer  
DATE OF REPORT: March 21, 2008

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#### **COMPLAINT:**


On February 7, 2008, the Office of Inspector General received an e-mail complaint from Michael W. Parker, alleging that poll workers at the New Bethany Baptist Church polling place failed to check at least three voter's photo identification and allowed them to vote without checking their identification.

#### **COUNTY AND ELECTION INVOLVED:**

Hall County, February 5, 2008 Presidential Preference Primary

#### **COMPLAINANT:**

Michael W. Parker  
Elector, Hall County



**RESPONDENTS:**

Harvey E. Chambers  
Chief Poll Manager, Roberts Precinct, Hall County

Jacqueline Shelton  
Assistant Poll Manager, Roberts Precinct, Hall County

Joanne Hinton  
Assistant Poll Manager, Roberts Precinct, Hall County

**Investigative Results**

The complainant in this case alleged that he saw at least three people vote without being asked to produce identification at the Roberts Precinct in Hall County during the February 5, 2008 Presidential Preference Primary..

The complainant also alleged that he saw incomplete voter certificates at the precinct that substantiated his claim that no identification had been demanded of at least three individuals.

The complainant said that he saw voters bypass the "Identification Line" and go directly to the "ExpressPoll Line" without having their identification checked.

1174 voters voted at this precinct on February 5, 2008.

The investigation revealed that there were ten partially incomplete voter certificates submitted at this precinct.

Of the ten voter incomplete voter certificates:

- six were Democratic voters
- four were Republican voters

- five were males
- five were females

- eight had NO markings or signatures by election officials
- one had a signature of an election official with no form of identification noted
- one had form of identification noted, but no signature

No voters voted provisionally, and there were no voters denied a ballot at this precinct.

Poll Manager, Harvey Chambers, said that there were no distinct lines as perceived by the complainant, and that the all poll workers, including the ExpressPoll workers, were instructed to check each voter certificate to make sure that it had been completed and verified properly.

Mr. Chambers acknowledged that a voter could have bypassed the "Identification Table," which should have been the first stop for the voter, and gotten directly into the "ExpressPoll Line."

The ExpressPoll worker should have noted that the voter certificate was incomplete and directed the ten voters to the "Identification Table" before allowing them to proceed, but this was obviously not done ten times.

Assistant Poll Manager, Jacqueline Shelton, reviewed the vast majority of the certificates that preceded and followed nine of the ten incomplete certificates. Ms. Shelton said that she believed that she checked every certificate presented to her, and that she was relieved by other workers on occasion. She acknowledged that she might have overlooked some certificates, unintentionally.

Assistant Poll Manager, Joanne Hinton, checked the certificate before one of the incomplete certificates, but Ms. Shelton checked the one after the incomplete certificate.

There is no way to determine how much time elapsed between each certificate being checked and marked by a poll worker.

It is impossible to determine how many of the ten voters bypassed the "Identification Table," and never had their certificates scrutinized by a poll worker other than an operator of the ExpressPoll machine.

At least two incomplete certificates were handled and marked, albeit incompletely, by a poll worker.

It is impossible to determine if Ms. Shelton, who handled so many of the other certificates, ever handled these certificates or if the workers at the ExpressPolls let the certificates pass unchallenged.

### **Potential Violations**

- 1) The facts indicate that Jacqueline Shelton may have violated State Election Board Rule 183-1-12-.02(4)(b) by failing to verify the identity of the voter on the voter certificate with the voter's proper identification.
- 2) The facts indicate that Joanne Hinton may have violated State Election Board Rule 183-1-12-.02(4)(b) by failing to verify the identity of the voter on the voter certificate with the voter's proper identification.

- 3) The facts indicate that Harvey Chambers may have violated State Election Board Rule 183-1-12-.02(4)(b) by failing to verify the identity of the voter on the voter certificate with the voter's proper identification.

O.C.G.A § 21-2-417(a) requires, "each elector shall present proper identification to a poll worker at or prior to completion of a voter's certificate at any polling place and prior to such person's admission to the enclosed space at such polling place."

There is no state law that requires a poll worker to require that a photographic identification card be presented before voting, but only the above cited statute placing the responsibility on each elector.

**Conclusion**

It is recommended that this case be referred to the Attorney General's Office for training and appropriate sanctions.