

Petition Submission Update from Clerk Emeritus Foris Webb, III

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The following is a memorandum to provide an update to the public on the process the City of Atlanta will use to verify the petitions that have been collected by citizens who are advocating for a referendum on the Atlanta Public Safety Training Center.

No petitions have been submitted or filed with the City of Atlanta Office of the Municipal Clerk as of today, August 23, 2023. If petitions are filed, the Clerk's office and the team authorized to be engaged by City Council on August 22, 2023, have developed a step-by-step verification process conducted by independent third parties to ensure a process that is fair, inclusive, and transparent. Once the petitions are filed, the Clerk's office will have a better sense of how long the tens of thousands of line submissions will take to review and verify.

As a reminder, the process used by the Office of the Municipal Clerk will entail four (4) steps with the guiding principles of conducting the process in a manner that preserves the ability of the public to participate in the democratic process, maintains the integrity of the verification process, the accuracy of the results, and a commitment to transparency.

- 1. Petition Intake Process.** When the petition is presented to Interim Municipal Clerk Vanessa Waldon, she will affirmatively establish how many boxes of signature pages have been turned in, and seal them in front of the petitioners. She will then take the sealed boxes to a secure vault in the Clerk's office, where they will be kept secure until they are scanned.
- 2. Scanning/Processing.** Once received, the boxes will be individually opened, and their contents scanned to create an electronic image of every page. While the petition pages that were issued have unique, sequential numbers on the bottom, we do not presume that we will receive them back in perfect numerical sequence – there may be gaps, for instance, or overlap between the sequences present in different boxes. Accordingly, the City will create individual designations for each page in each box, so that every page that is turned in will have a unique designation. The petitioners will be provided with a copy of those electronic images once they are created, and the Office of the Municipal Clerk will provide a full copy of the scanned documents to the media. Members of the public at large can request a digital copy through an email address which will be provided online. Additionally, a searchable database will be created, which will be accessible to the general public at large. The originals will be kept secure as well.

- 3. Review/Verification.** Once individually designated and scanned, the completed lines will be reviewed to determine a) whether the name and other information present identifies and corresponds to a qualified Atlanta voter, and if so, b) whether the signature is that of the unique voter. This will be a manual process, a line-by-line review, which will also include double-checking of each line and other quality control measures. The review will rely on the official state voter registration database. Petition lines that cannot be verified pursuant to this process will have detailed documentation as to the reason for the non-verification status.
- 4. Additional Public Comment/Inquiries.** To maintain the integrity of the verification process and consistent with prior City of Atlanta procedures and practices regarding petition verification, the City will not comment on the review once the verification process begins. Once the process is complete, all submitted pages will be available under the Georgia Open Records Act for the public and the city will resume dialogue.

Georgia law indicates a petition may only be validly signed by a person who was registered to vote as a City of Atlanta (City) elector during the November 2021 municipal election and is still a resident elector of the City. Individuals for instance, who do not live in the City itself, despite having a City of Atlanta mailing address but are residents of another County, are not eligible electors and would be deemed invalid. In November of 2021, there were 388,205 active voters in the City, meaning that petitioners will need to establish that at least 58,231 of those City electors signed during the required time period to achieve the minimum 15% threshold.

During the verification process, there are several steps that take place prior to reviewing a signature.

- If verification of a signature is necessary and if questions arise about the legibility of a particular signature, the signature will be reviewed by at least two reviewers, using available public records.
- If, after the second review, there remains a question about the legibility and authenticity of a particular signature, a notice will be mailed to the individual at the address listed on the petition, and the individual will be called, if a telephone number is listed, giving the individual multiple opportunities to cure and demonstrate by affidavit or by personal appearance that he/she/they are the individual listed and who signed the petition. This notice and cure process is consistent with current Georgia practice and law related to absentee ballot applications, which involve signature verification.
- To ensure additional transparency the City will make publicly available the list of signors whose signatures need to be confirmed. This additional step in the process was put in place to ensure that no one's intent to sign the petition is frustrated during this important process.

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Bios of Independent Team Members

Foris Webb, III

Foris Webb III is the Clerk Emeritus of the City of Atlanta. Retiring with 33 years of municipal experience he was the custodian of the City seal, legislative records, City charter, City code and redistricting. Webb served under seven Atlanta Mayors, seven Council Presidents and ten City Councils. He also has professional experience within the judicial and legislative branches of government.

Serving on the Judicial side of government, he was the Deputy Director of Pretrial Services, providing services to the indigent, first offenders, Community Court and Drug Court prior to being certified as Municipal Clerk at the University of Georgia Carl Vinson Institute of Government.

Webb also served as the City of Atlanta as Elections Superintendent, responsible for qualifying candidates, validating petitions, candidate hearings and campaign disclosure filings.

Chris Sautter

Chris Sautter is a nationally recognized election attorney, political media strategist, award-winning documentary filmmaker, and university professor.

For almost 40 years, Sautter has advised and produced media for dozens of Democratic candidates from coast-to-coast, including writing and producing Barack Obama's first campaign ads (see David Remnick's *The Bridge*). Sautter has also produced spots for the First American Education Project, a coalition of West Coast Native American tribes that helped elect U.S. Senator Maria Cantwell (D-WA), for EMILY's List, an organization dedicated to electing pro-choice women, and for the Democratic Congressional Campaign Committee. Sautter has won multiple Pollie Awards for creative excellence in political spots he has produced. His influence as a consultant was highlighted in a 1994 *Campaigns & Elections* magazine cover story entitled "Rising Stars: A Telescopic View of Emerging Kingmakers."

Sautter literally wrote the book on recounts. *The Recount Primer* (1994) that he co-authored with attorneys Tim Downs and Jack Young is considered the definitive guide to election disputes. His work on behalf of Al Gore in the 2000 Florida presidential recount was profiled in the *New Republic*, singled out by the late syndicated columnist Robert Novak, and praised by Jeffrey

Toobin in his book *Too Close To Call*. Sautter served as a lead attorney in Al Franken's U.S. Senate 2008-9 recount in Minnesota. Jay Weiner, author of *This Is Not Florida: How Al Franken Won the Minnesota Recount*, pegged him "unquestionably the most experienced recount lawyer in the country," and "the go-to guy on the Franken recount legal team." Sautter has played a prominent role as lawyer and consultant in virtually every other major recount in the country for over three decades, including the 1989 recount on behalf of former Virginia Governor Doug Wilder (the first African American elected governor of a state since Reconstruction), the 1998 recount on behalf of U.S. Senator Harry Reid, and the 2018 statewide Florida recounts. Most recently he served on the legal team that helped Rep. Sheila Cherfilus-McCormick win a recount by 5 votes in the 2021 special primary election to replace the late Congressman Alcee Hastings in a South Florida congressional district.

Sautter has also directed and produced two award-winning feature length documentary films. *The King of Steeltown: Hardball Politics in the Heartland* (2001), an off-beat look at old-style machine politics in East Chicago, Indiana, won "Best Political Documentary" at the New York International Independent Film Festival. *So Glad I Made It* (2004) about a struggling singer songwriter living on the margins of the music industry won six top film festival awards and was named one of the Top 12 Rock Documentaries by GRAMMY Magazine. Sautter also wrote and produced three Obama videos that were screened in prime time at the 2012 Democratic National Convention in Charlotte.

Before starting his own consulting firm, Sautter worked with media consultant David Axelrod, who later became the chief political advisor to President Obama, and opened the first Washington office for Axelrod's Chicago-based firm. Sautter served as a senior staff member on the presidential campaigns of Bob Kerrey and Paul Simon. He was the late Congressman Frank McCloskey's (D-IN) top political aide and campaign manager in 1986 when McCloskey's race was the number one congressional race in the country and worked on his 1984-85 recount eventually decided by four votes (see "The 'Stolen Election' That Poisoned American Politics. It Happened in 1984", by Michael Kruse Politico, 1/6/23)

Sautter is an Adjunct Professor at American University, where he has taught courses on constitutional and election law for undergraduates in the government department and "The Recount Process" at American University's Campaign Management Institute—the first college course for credit on election recounts in the country. He contributed a chapter on election law entitled "U.S. Elections on the Brink" to the book *Campaigns and Elections American Style* (2023) edited by American University Professors James Thurber and Candice Nelson. And, he co-authored a chapter entitled "Recounts: Two Decades After Bush v. Gore for America Votes: Challenges to Modern Election Law and Voting Rights (2020) edited by Benjamin E. Griffith and John Hardin Young. Sautter has written opinion editorials for Roll Call, appeared on CNN, FOX News, and National Public Radio, written book reviews for various publications, and wrote columns for *Howey Politics Indiana*, named by the Washington Post as one of the best political blogs in the country. During the Clinton administration, he served as special counsel to the Democratic National Committee on campaign finance reform and to Democratic members of the U.S. House Administration's Oversight Subcommittee on contested elections. Sautter is

currently counsel to AUDIT-USA, a non-partisan non-profit organization dedicated to making elections transparent and publicly verified.

During the 2016 presidential election, Sautter served as an attorney for the Bernie Sanders for President campaign, directing voter protection activities. He also helped direct voter protection for the Hillary Clinton for President campaign in Miami, Florida during the 2016 general election campaign. In 2018, he worked as a recount attorney for the Florida Democratic Party in two constitutionally mandated statewide recounts—the U.S. Senate and Florida Agricultural races.

As an Indiana Legal Services lawyer in the late 1970's and early 1980's, Sautter successfully brought landmark cases in housing, prison, and civil rights law. Sautter is a graduate of Indiana University and Antioch School of Law.

Richard Bartolomei

Richard Bartolomei holds a Bachelor's Degree in Political Science from the University of Chicago and a juris doctor from the University of Iowa College of Law. After college, Rich worked on multiple campaigns in his home state of Iowa and in Ohio for state and federal candidates. After law school, Rich practiced with a firm in Milwaukee, Wisconsin for a few years before launching his independent political consulting firm advising candidates on ballot access by petition, field operations, and campaign logistics.

Matthew Cain

Matthew Cain holds a Bachelor's Degree in Political Science from Ohio University in Athens, OH. Matt brings a wealth of political and governmental experience to Great Lakes, having worked both in government and on campaigns in Ohio, Chicago, and Washington, DC. For the last several years, Matt has worked as a freelance political consultant, advising candidates, businesses and governments on petitions, ballot management and election administration.

Together, Rich and Matt have managed petition drives collecting over 250,000 petition lines for local candidates in and around Cook County, Illinois. The pair and their trained review staff have reviewed at least 500,000 petition lines across a variety of petitions, including local, state, and federal candidate petitions, and citizen-initiated referenda.

Matt and Rich were also privileged to manage staffing for a recent recount in Suburban DuPage County (Population 930,000). In 2020, DuPage County voters ousted incumbent Republican Bob Grogan from the County Auditor's office by a mere 75 votes, electing Democrat William "Bill" White. After the defeated Republican sought a recount, Rich and Matt assembled, trained, and managed on-site observers for Democrat Bill White. In a credit to both sides, the DuPage recount avoided any of the onsite acrimony widely observed during and after the 2020 election cycle.