

**RESOLUTION BY THE FULTON COUNTY BOARD OF COMMISSIONERS IN
SUPPORT OF VOTERS' RIGHTS, EQUAL ACCESS TO THE BALLOT, AND
STOPPING VOTER SUPPRESSION; AND FOR OTHER PURPOSES.**

WHEREAS, Fulton County is home of the "cradle" of the American Civil Rights Movement and its luminaries in the fight for equal access to the ballot, fairness, justice, and freedom, including the Reverends Martin Luther King Jr., Hosea L. Williams, C.T. Vivian, Joseph E. Lowery, Ambassador Andrew J. Young Jr., and others, such as U.S. Representative John R. Lewis, Mayor Maynard H. Jackson, Commissioner Emma I. Darnell and others; and

WHEREAS, Fulton County has been a leader among counties in the State of Georgia, and elsewhere in the South, in the expansion of voters' access to the polls through expanded early-voting days and times; utilization of mobile voting; utilization of 24-hour secure drop-boxes at as many as 38 county facilities; and extensive voter-education strategies to reduce long lines on election days; and

WHEREAS, upon the final count of the 2020 Presidential Election in Georgia, including a manual hand recount, a machine recount, Secretary of State Brad Raffensperger and Governor Brian Kemp declared no massive voter fraud took place in Georgia, and despite the loss and false claim of fraud by the sitting U.S. President, Mr. Raffensperger stated that "By all accounts, Georgia had a wildly successful and smooth election.," and in Fulton County 528,777 of the 806,451 registered electors (65.57 percent) cast a ballot; and

WHEREAS, the Georgia General Assembly, on March 25, 2021, passed Senate Bill 202, (SB202) which was immediately signed into law by Governor Brian Kemp the same day, behind closed doors; and

WHEREAS, SB202, among other things, effectively makes it harder to vote, compared to the process used in 2020 and 2021 U.S. Senate Runoff Elections; and

WHEREAS SB202 particularly does the following:

a) STATE TAKE OVER OF COUNTY ELECTION BOARD. The Georgia legislature is empowered to appoint the chair and members of the State Election Board which may suspend county election officials. "The State Election Board may suspend county or municipal superintendents and appoint an individual to serve as the temporary superintendent in a jurisdiction. Such individual shall exercise all the powers and duties of a superintendent as provided by law, including the authority to make all personnel decisions related to any employees of the jurisdiction who assist with carrying out the duties of the superintendent, including, but not limited to, the director of elections, the election supervisor, and all poll officers."

1 **b) MOBILE VOTING ENDED.** Mobile voting is banned unless the governor
2 declares an emergency for its use. In 2020, Fulton County used two recreational
3 vehicles that traversed the county during the early voting periods, effectively
4 bringing polling sites to people at churches, parks, and public libraries. In the
5 November Election, more than 11,000 people voted at the two vehicles in Fulton
6 County.

7
8 **c) ABSENTEE VOTER BALLOT REQUEST TIME REDUCED.** The time allowed
9 in Georgia has been cut by more than half the period during which voters may
10 request an absentee ballot, from nearly six months before an election, to less than
11 three. The shorter window will also limit opportunities for educating voters and
12 could put greater strain on Fulton County and other election boards, which will
13 have less time to process ballot requests. Further, it is also now illegal for election
14 officials to mail out absentee ballot applications to all voters.

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16 **d) DROP BOXES REDUCED DRASTICALLY.** For the 2020 Election, Fulton used
17 38 secure drop boxes, providing 90 percent of all voters a drop box location within
18 three miles of their residence. The new SB202 law limits Fulton County to just eight
19 (8) drop boxes countywide. Further, instead of 24-hour access outdoors, the boxes
20 must be placed indoors at government buildings and early-voting sites, and will
21 thus, be unavailable for voters to drop off their ballots during evenings and other
22 nonbusiness hours. In Fulton County, 79,460 voters cast ballots in the November
23 2020 General Election via drop boxes; and 62,896 did the same in the January 5,
24 2021 U.S. Senate Runoff Election.

25
26 **e) AGAINST THE LAW TO PROVIDE WATER OR FOOD TO VOTERS IN LINE.**
27 SB202 allows the police to arrest any person who offers food or water to voters
28 waiting in line: "(1) within 150 feet of the outer edge of any building which a polling
29 place is established; (2) within any polling place; or (3) within 25 feet of any voter
30 standing in line to vote at any polling place."

31
32 **f) OUTLAWS OUTSIDE FUNDING ASSISTANCE TO IMPROVE ELECTIONS.**
33 Under SB202, election officials can no longer accept third-party funding.
34 Specifically, "No superintendent shall take or accept any funding, grants, or gifts
35 from any source other than from the governing authority of the county or
36 municipality, the State of Georgia, or the federal government." In Fulton County,
37 the Board of Elections and Registration received \$10.8 million from third-parties to
38 improve elections in November and January. This funding saved taxpayers and
39 the County money and allowed for a complete turnaround in service from the
40 dismal elections operation performance in the June 2020 Primary Election. The
41 third-party funds enabled Fulton County to: (1) purchase new elections equipment;
42 (2) provide Covid-19 stipends to employees working the elections; (3)
43 decontaminate polling places; (4) rent the Georgia World Congress Center to
44 process absentee voter ballots; (5) expand voter education including two call
45 customer service call centers; and (6) provide funds to purchase additional secure
46 drop boxes; and

1
2 **WHEREAS**, Fulton County citizens believe in safe, fair, and secure elections and
3 support laws which uphold these fundamental rights of citizenship and abhor the
4 erecting of new barriers to voting; and
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6 **WHEREAS**, Fulton County and the Board of Commissioners believe in working to
7 build a democracy that is truly of by and for the people, where all eligible citizens of Fulton
8 County and Americans in general can vote and make their voices heard; and
9

10 **WHEREAS**, pending bills, such as H.R.1 in the U.S. House, titled “For the People
11 Act” and H.R.4 titled the “John R. Lewis Voting Rights Enhancement Act”, support this
12 great American ideal, and laws such as SB202 do the exact opposite.
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14 **NOW THEREFORE BE IT RESOLVED**, that the Board of Commissioners
15 reinforces its long standing commitment to the U.S. Voting Rights Act of 1965 as amended
16 and supports swift passage and enactment of the U.S. “For The People Act” (H.R.1) and
17 the “John Lewis Voting Rights Enhancement Act” (H.R.4) as a means to reduce any
18 adverse effects—on Fulton County and its citizens—of SB202, and other restrictive
19 legislation that impedes equal access to voting in free and fair elections; and
20

21 **BE IT FURTHER RESOLVED**, that the Board of Commissioners of Fulton County
22 directs the County Attorney to research and provide the Board of Commissioners within
23 30 days, recommendations on, any and all legal avenues to fight implementation of
24 SB202 and other voter-suppression legislation promulgated and/or enacted by the State
25 of Georgia, including, but not limited to, recommendations on consent decrees, legal
26 claims, and other pathways under statutory and common law, including, but not limited
27 to, the U.S. Voting Rights Act of 1965 as amended; the U.S. Civil Rights Act of 1964; the
28 U.S. Constitution; The Constitution of the State of Georgia, and the Official Code of
29 Georgia Annotated; and
30

31 **BE IT FURTHER RESOLVED**, that the Board of Commissioners of Fulton County
32 directs the County Manager, in consultation and conferring with the Director of the
33 Department of Registration and Elections, and the County Attorney to research and
34 provide the Board of Commissioners within 30 days recommendations on any and all
35 legal methods available; and procedures to maintain and expand equal access to the
36 ballot box and the polls consistent with SB202 and any new Georgia laws that limit voting
37 access, methods and procedures employed in the 2020 General Election and the 2021
38 U.S. Senate Runoff Election; and
39

40 **BE IT FURTHER RESOLVED**, that the Board of Commissioners of Fulton County
41 directs the County Manager, in consultation and conferring with the Director of the Fulton
42 County Office of Diversity and Civil Rights Compliance and the County Attorney to
43 research and provide the Board of Commissioners within 30 days, recommendations for
44 Board action, any and all legal methods available to protect and preserve Fulton County
45 voters' rights guaranteed under County, State and Federal laws, including, but not limited
46 to, the U.S. Voting Rights Act of 1965 as amended; the U.S. Civil Rights Act of 1964; the

1 U.S. Constitution; the Constitution of the State of Georgia, and the Official Code of
2 Georgia Annotated; and
3

4 **BE IT FURTHER RESOLVED**, that upon adoption, that the Clerk to the
5 Commission is directed to send copies of this Resolution to each member of the Georgia
6 Congressional Delegation and to the President and Vice President of the United States,
7 forthwith; and
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9 **BE IT FINALLY RESOLVED**, that this Resolution shall become effective upon its
10 adoption, and that that all resolutions and parts of resolutions in conflict with this
11 Resolution are hereby repealed to the extent of the conflict.
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13 **PASSED AND ADOPTED** by the Board of Commissioners of Fulton County,
14 Georgia, this _____ day of April, 2021.
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16
17 FULTON COUNTY BOARD OF
18 COMMISSIONERS
19

20
21 **SPONSORED BY:**
22

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24 _____
25 Khadijah Abdur-Rahman, Commissioner
26 District 6
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28 **CO-SPONSORED BY:**
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ATTEST:

Tonya R. Grier, Clerk to the Commission

APPROVED AS TO FORM:

Kaye Woodard Burwell, Interim County Attorney