

1 **RESOLUTION BY THE FULTON COUNTY BOARD OF COMMISSIONERS URGING**
2 **THE SUPPORT AND PASSAGE IN 2022, OF STATE AND FEDERAL LAWS THAT**
3 **UPHOLD AND PROTECT VOTERS' RIGHTS AND EQUAL ACCESS TO THE BALLOT,**
4 **ONE MAN, ONE VOTE; AND FOR OTHER PURPOSES.**

5
6 **WHEREAS**, in 2022, voters in Fulton County will go to the polls to elect, among
7 other officials, Fulton County's chairman and commissioners; Georgia's governor and
8 lieutenant governor, attorney general, labor commissioner, state senators and
9 representatives; a United States senator and members of the United States House of
10 Representatives; and

11
12 **WHEREAS**, Fulton County is home of the "cradle" of the American Civil Rights
13 Movement, and its luminaries, in the fight for equal access to the ballot, fairness, justice,
14 and freedom, including the Reverend Martin Luther King Jr., Hosea L. Williams, C.T.
15 Vivian, Joseph E. Lowery, Ambassador Andrew J. Young Jr., and others, such as U.S.
16 Representative John R. Lewis, Mayor Maynard H. Jackson, Commissioner Emma I.
17 Darnell, Xernona Clayton and others; and

18
19 **WHEREAS**, Fulton County has been a leader among counties in the State of
20 Georgia, and elsewhere in the South, in the expansion of voters' access to the polls,
21 through expanded early-voting days and times; utilization of mobile voting; utilization of
22 24-hour secure drop-boxes at as many as 38 county facilities; and extensive voter-
23 education strategies to reduce long lines on election days; and

24
25 **WHEREAS**, upon the final count of the 2020 Presidential Election in Georgia,
26 including a manual hand recount and a machine recount, Georgia's Secretary of State
27 Brad Raffensperger and Governor Brian Kemp declared no massive voter fraud took
28 place in Georgia, and despite the loss and false claim of fraud by the then sitting U.S.
29 President, Donald J. Trump, Mr. Raffensperger stated that: "By all accounts, Georgia had
30 a wildly successful and smooth election," and in Fulton County, 528,777 of the 806,451
31 registered electors (65.57 percent) cast a ballot; and

32
33 **WHEREAS**, the Georgia General Assembly, on March 25, 2021, passed Senate
34 Bill 202 (SB202), which was signed into law by Governor Brian Kemp the same day; and

35
36 **WHEREAS**, SB202, among other things, places limitations on elections in 2022
37 for voters of Fulton County and across Georgia, especially compared to the process used
38 in 2020 and 2021, because SB202 among other things provides:

39
40 **a) STATE TAKE OVER OF COUNTY ELECTION BOARD.** The Georgia
41 Legislature is empowered to appoint the chair and members of the State Election
42 Board, which may suspend county election officials that are chosen by the electors
43 of various local jurisdictions.

44
45 **b) MOBILE VOTING ENDED.** Mobile voting is banned unless the governor
46 declares an emergency for its use. In 2020, Fulton County used two recreational

1 vehicles that traversed the county during the early voting periods, effectively
2 bringing polling sites to people at churches, parks, and public libraries. In the
3 November 2020 Election, more than 11,000 people voted at the two vehicles in
4 Fulton County.

5
6 **c) ABSENTEE VOTER BALLOT REQUEST TIME REDUCED.** The time allowed
7 in Georgia has been cut by more than half the period during which voters may
8 request an absentee ballot, from nearly six months before an election, to less than
9 three. Further, it is also now illegal for election officials to send absentee ballot
10 applications to all voters.

11
12 **d) DROP BOXES REDUCED DRASTICALLY.** For the 2020 Election, Fulton
13 County used thirty-eight (38) secure drop boxes, providing 90 percent of all voters
14 a drop box location within three miles of their residence. SB202 limits Fulton
15 County to just eight (8) drop boxes countywide. Further, instead of 24-hour access
16 outdoors, the boxes must be placed indoors at government buildings and early-
17 voting sites, and will thus, be unavailable for voters to drop off their ballots during
18 evenings and other nonbusiness hours. In Fulton County, 79,460 voters cast
19 ballots in the November 2020 General Election via drop boxes; and 62,896 did the
20 same in the January 5, 2021 U.S. Senate Runoff Election.

21
22 **e) AGAINST THE LAW TO PROVIDE WATER OR FOOD TO VOTERS IN LINE.**
23 SB202 allows for the arrest of any person who offers food or water to voters waiting
24 in line to cast their ballot.

25
26 **f) OUTLAWS OUTSIDE FUNDING ASSISTANCE TO IMPROVE ELECTIONS.**
27 Under SB202, election officials can no longer accept third-party funding. In Fulton
28 County, the Board of Elections and Registration received \$10.8 million from third
29 parties to improve elections in 2020 and 2021, increasing voter participation to
30 historic levels; and

31
32 **WHEREAS**, Fulton County citizens are entitled to safe, fair, and secure elections
33 and laws which uphold these fundamental rights of citizenship and create no new barriers
34 to voting; and

35
36 **WHEREAS**, Fulton County and the Board of Commissioners believes in working
37 to build a democracy that is truly of, by, and for the people, where all eligible citizens of
38 Fulton County, and Americans in general, can vote and make their voices heard; and

39
40 **WHEREAS**, pending bills, such as H.R.1 in the U.S. House, titled, "For the People
41 Act" and H.R.4 titled, "The John R. Lewis Voting Rights Enhancement Act", support this
42 great American ideal; and

43
44 **WHEREAS**, the President and Vice President of the United States traveled to
45 Fulton County this month to implore the passage of voting-rights legislation.

1 **NOW, THEREFORE BE IT RESOLVED**, that the Board of Commissioners
2 reiterates and reinforces its long-standing commitment to the U.S. Voting Rights Act of
3 1965, as amended, and supports swift passage and enactment of the current federal
4 voting rights legislation before Congress in Washington, D.C., and other new state
5 legislation that will repeal the harmful effects of SB202 in the State of Georgia; and
6

7 **BE IT ALSO RESOLVED**, that the Board of Commissioners of Fulton County
8 directs the County Attorney to research and provide the Board of Commissioners within
9 30 days, recommendations on, any and all legal avenues anew that can be effected
10 during the 2022 Session of the Georgia General Assembly, to fight further implementation
11 of SB202 and other voter-suppression legislation promulgated and/or enacted by the
12 State of Georgia, including, but not limited to, recommendations on consent decrees,
13 legal claims, and other pathways under statutory and common law, including, but not
14 limited to, the U.S. Voting Rights Act of 1965 as amended; the U.S. Civil Rights Act of
15 1964; the U.S. Constitution; the Constitution of the State of Georgia, and the Official Code
16 of Georgia Annotated; and
17

18 **BE IT ALSO RESOLVED**, that the Board of Commissioners of Fulton County
19 directs the County Manager, to confer with all appropriate staff, including the Department
20 of Registration and Elections and the Office of the County Attorney, to research and
21 provide the Board of Commissioners within 30 days recommendations on any and all
22 legal methods available; and procedures to maintain and expand equal access to the
23 ballot box and the polls consistent with SB202, and any other Georgia laws that may have
24 a limiting-effect on voter and voting access, methods, and procedures employed in the
25 2020 General Election and the 2021 Elections; and
26

27 **BE IT FURTHER RESOLVED**, that the Board of Commissioners of Fulton County
28 directs the County Manager, in consultation and conferring with the Director of the Fulton
29 County Office of Diversity and Civil Rights Compliance and the County Attorney to
30 research and provide the Board of Commissioners within 30 days, recommendations for
31 Board action, any and all legal methods available to protect and preserve Fulton County
32 voters' rights guaranteed under County, State, and Federal laws, including, but not limited
33 to, the U.S. Voting Rights Act of 1965 as amended; the U.S. Civil Rights Act of 1964; the
34 U.S. Constitution; the Constitution of the State of Georgia, and the Official Code of
35 Georgia Annotated; and
36


37 **BE IT FURTHER RESOLVED**, that upon adoption, that the Clerk to the
38 Commission is directed to send copies of this Resolution to each member of the Georgia
39 Congressional Delegation, the President of the United States, Vice President of the
40 United States, and members of the Georgia General Assembly, forthwith; and
41

42 **BE IT FINALLY RESOLVED** that this Resolution shall become effective upon its
43 adoption, and that all resolutions and parts of resolutions in conflict with this Resolution,
44 are hereby repealed to the extent of the conflict.
45

1 **PASSED AND ADOPTED** by the Board of Commissioners of Fulton County,
2 Georgia, this 19th day of January, 2021.

3
4
5 **FULTON COUNTY BOARD OF**
6 **COMMISSIONERS**

7
8
9 **SPONSORED BY:**

10
11 
12 _____
13 Khadijah Abdur-Rahman, Commissioner
14 District 6

15
16
17
18
19 **ATTEST:**



20 
21 _____
22 TOMMIE L. GRIER
23 CLERK OF THE COMMISSION

24
25
26 **APPROVED AS TO FORM:**



Soo Jo, County Attorney

ITEM # 22-0019 RCS 1/19/22
RECESS MEETING