

VOTERGA

Voters Organized for Trusted Election Results in Georgia

*P.O. Box 808
Decatur Ga. 30031*

Chairman Brian Kemp, Mr. Tex McIver, Mr. Randy Evans, Mr. David Worley, Mr. Kent Webb

October 4, 2010

Chairman Kemp and State Election Board Members,

I received the attached letter from Acting Inspector General Chris Harvey for the office of the Secretary of State (SOS) indicating a refusal to consider any aspect of the 70 count complaint that I submitted regarding potential election fraud in the recent investigations of Douglas and Lowndes County. Both of the two major excuses used by the Acting Inspector General to justify this refusal are patently incorrect.

First, I did not ask to reopen investigations. I submitted a new complaint that asked the board to determine why the specific issues of potential election fraud I raised were not fully investigated by the Deputy Attorney General (DAG). I also asked the board to determine why the DAG presented what seems to be obviously false information to the board based on the related court documents and investigative material. That does not require reopening previous investigations, even if new matters of concern regarding the conduct of the investigations are revealed.

Secondly, I did not ask for an investigation of the Attorney General's office. I asked for the board to determine why the Deputy Attorney General, who serves at the pleasure of the board, did not investigate these potential areas of election fraud that are within the scope of jurisdiction of the board. I also asked why the DAG appears to have failed to truthfully inform the board of the serious potential election fraud that may have been committed by election officials. The DAG performed the original investigations at the request of the board and fully within the scope of jurisdiction set forth by the board under O.C.G.A. 21-2-31, O.C.G.A. 21-2-32, O.C.G.A. 21-2-33 and O.C.G.A. 21-2-33.1.

As I mentioned at the last board meeting, these cases contain some of the most serious allegations of election fraud that I believe this board has ever seen. That is why I have requested and continue to request that the board appoint an independent counsel to handle this complaint. There is a clear unwillingness or inability to investigate these matters in a fair, impartial manner that the people of Georgia would expect.

Chairman, Kemp, I ask that either you reply to this letter on behalf of the board or that the board add an agenda item for the next meeting to determine how these concerns can be properly addressed on behalf of Georgia voters who expect fairness and impartiality.

Sincerely,

Garland Favorito
www.voterga.org
404 664-4044 CL



The Office of Secretary of State

Stuart P. Kemp
SECRETARY OF STATE

• Martin Luther King, Jr. Drive
802 West Tower
Atlanta, Georgia 30337

Chris Harvey
ACTING INSPECTOR GENERAL

September 21, 2010

Giuliano Favorito
220 Tallow Box Drive
Roswell, Georgia 30076

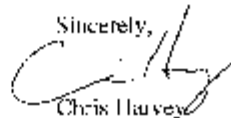
RE: Response to August 31, 2010 Letter

Dear Mr. Favorito:

My office is in receipt of your letter and enclosed attachment dated August 31, 2010, pertaining to State Election Board ("SEB") Case Numbers 2010-000007, 2008-000136 and 2008-000133. Per your correspondence, you have requested that the SEB reopen the above-referenced cases for further investigation and review. Please be advised that a final decision was entered in SEB Case No. 2008-000133, and the SEB entered consent orders in SEB Case Nos. 2010-000007 and 2008-000136. Accordingly, the SEB's determinations in those cases are final.

Additionally, in regard to the enclosed attachment to your letter, please be advised that the State Election Board does not have jurisdiction over the allegations described therein. As you are aware, O.C.G.A. § 21-2-33.1 vests the State Election Board with the power to issue orders directing compliance with the Georgia Election Code or prohibiting the commission of any conduct constituting a violation of the Georgia Election Code. Since your allegations against the Attorney General's Office do not fall within the purview of the SEB, the SEB is unable to consider your request.

Thank you for your attention to this matter.

Sincerely,

Chris Harvey