

(AUDIENCE LAUGHING)

SECRETARY HANDEL: All right, colleagues, is there a motion?

MR. WORLEY: I make a motion that we refer this to the Attorney General and to the District Attorney.

MR. WEBB: Second.

SECRETARY HANDEL: All in favor?

(WHEREUPON THERE WAS A CHORUS OF AYES)

SECRETARY HANDEL: Okay. Thank you. The next case is 2008 No. 64, involving Chatham County and a long list of respondents. Anyone who is here to speak on behalf of the Chatham County case, if, maybe, you could work your way forward, that would be helpful.

MS. LAGRUA: Your Honor -- excuse me. Madam Chair, members of the board -- old habits die hard. You may recall this case was on a previous calendar and there were some questions about alleged forgeries on a nomination petition for Dana Osborne, who wanted to run and ultimately did not run for office. The complainant is Russell Bridges, the elections supervisor. This case was referred back to the Office of the Inspector General. We did a significant additional investigation on this case. What we found was 48 total forgeries on this petition. The problem with the case is that at this point we are not sure who committed the forgeries; however, we have found other violations of the state election code. The allegations are that a number of the signatures were forged, that someone paid some of the circulators for each signature, and many of the circulators did not sign the petition in the presence of a notary. As you may recall, there is no violation for paying a circulator to obtain signatures. That did, in fact, occur; but there is no violation, in that regard. What we did find is that John McMasters, Edwitt Morris, Ken Ross, Alexia Williams and Jeff Rayno are very probably in violation of 21-2-562 (A) 1, because they submitted a petition that contained forged signatures. The problem is that we don't know, at this point, whether we can show that they knowingly accepted forged signatures. Most of those folks have refused to talk to us. However, Betty Powell violated 563 Section 4 by signing as a circulator, which she did not circulate the petition. And the following people violated 21-2-132(h)(3) by signing petition circulators without the presence of a notary public. And on the back of the petition, it is clearly stated, as you sign, that you are signing it in the presence of a notary. And that is Kerri Parker, Jason Smith, Richard Powell, Dany Powell, Kim Ross, Alexia Williams, David Osborne, Lynette Delsanto and April Hayes. Further, you have Joyce Humphreys, who was the notary who notarized the petitions without witnessing the signatures. Candidly, this Board, I do not believe, has jurisdiction over the notary issue in this case. That would be jurisdiction of the District Attorney's Office. I bring that to this Board's attention; however, because these petitions were brought to her by John McMasters for her to notarize, petitions that she did not witness the signatures on. Hazel Cullen failed to sign a petition that she circulated. I will tell you that we have received correspondence from an attorney for Hazel Cullen. She is not here, apparently is 80 years old. The allegation by the attorney is she did not know that she could not circulate the petition and give them to anyone else to turn in. My recommendation is that in these cases that all of the respondents be referred

to the Attorney General's Office and also to the District Attorney's Office. I have been in touch with the District Attorney's Office. They have the initial report in this case and are reviewing it and are awaiting the direction of this Board. I had a conversation as late as yesterday afternoon, with Larry Chisolm, the actual elected District Attorney for Chatham County. He knew we were going to be before the Board this morning and is awaiting some direction from this Board. There is one typographical error in this summary. I believe it is close to the end. There is a reference to page 60 of the petitions. And that is actually page 61. And the investigator --

SECRETARY HANDEL: If you will just find that for us and we will update that, for the record.

MS. LAGRUA: Yes, ma'am.

SECRETARY HANDEL: Let me first go through and see if there are any of the respondents here who want to speak. I will call the names and then I know, perhaps, the commissioners would like to speak, as well. David Osborne.

(NO RESPONSE)

SECRETARY HANDEL: Edwin Morris.

(NO RESPONSE)

SECRETARY HANDEL: John McMasters.

(NO RESPONSE)

SECRETARY HANDEL: Linda Delsanto.

(NO RESPONSE)

SECRETARY HANDEL: Jeremy Shinebart.

(NO RESPONSE)

SECRETARY HANDEL: Jeffrey Rayno. Okay. Jeffrey Rayno is here and I will give you a moment. Let me go through the list. Sandra Shirley?

(NO RESPONSE)

SECRETARY HANDEL: Kim Ross?

(NO RESPONSE).

SECRETARY HANDEL: Alexia Williams.

(NO RESPONSE).

SECRETARY HANDEL: Richard Jennings.

(NO RESPONSE)

SECRETARY HANDEL: April Hayes.

(NO RESPONSE)

SECRETARY HANDEL: Betty Powell.

(NO RESPONSE)

SECRETARY HANDEL: Richard Powell.

(NO RESPONSE)

SECRETARY HANDEL: Hazel Callum.

(NO RESPONSE)

SECRETARY HANDEL: Kerri Parker.

(NO RESPONSE)

SECRETARY HANDEL: Let the record show that we do have -- Jeffrey Rayno is with us. Mr. Rayno.

MR. RAYNO: Thank you, ma'am. For the record, my name is Jeffrey Rayno. I live at 3 Stone Gate Court. in Pooler, Georgia 31322.

SECRETARY HANDEL: Okay. Before you start, I just want to let you know that everything and anything is on the record here. Should this case be referred to the Attorney General's Office, what is on the record can work for you or it can also work against you, so be mindful of that.

MR. RAYNO: I fully understand that..

SECRETARY HANDEL: Thank you.

MR. RAYNO: I have a prepared a statement.. I'm just going to make a couple of conclusions after that.. Good morning. I attended this meeting today to explain my legal participation in the campaign of M. David Osborne. Mr. Osborne was a former constituent when I was a Chatham County Commissioner. I worked with his neighborhood association and assisted him whenever necessary and participated in their annual fish fry. We also have businesses in the same plaza in Pooler, known as Morgan's Comer. I volunteered to help Mr. Osborne in his campaign for the first district seat of Chatham County Commission. At no time did Mr. Osborne offer to pay me

for my efforts, nor did I ask him for money. My desire to see Ms. Stone removed from office by means of the voting booth was my only motivation. I went door-to-door in my old neighborhood, where I lived for close to 15 years. Many of the people I knew from my involvement in the neighborhood association, neighborhood watch, plan-user issues, constituent concerns; they were parents of children that my son played with. When I knocked on the door and would say the following things: Hi. This is Jeff Rayno. I used to be your County Commissioner in 2004. May I speak with you? At that point they would open the door and I would continue. I'm stopping by today on behalf of David Osborne. He is running for the First District Seat of the Chatham County Commission, which is currently held by Helen Stone. Because he is running as an independent, he can't go down to the office and pay a hundred dollars plus and automatically be put on the ballot. So, he is forced to go door-to-door to collect a thousand signatures, simply to be put on the ballot. Personally, I think it is not fair. He should have the same qualifying guidelines as a Republican or Democrat. By signing for him today, you will give Mr. Osborne a chance to be on the ballot. It doesn't mean you have to vote for him. It doesn't mean you have to vote. It just gives him a chance to be on the ballot and give him a fair campaign against Helen Stone. We are looking for a fair playing field. Everyone I spoke with, except for two people, signed the petition. And the only reason they didn't sign the petition was because they claimed they didn't sign petitions, period. When you frame it like this, in a fair and balanced way, people want to sign up, even if they are going to vote for Helen. It doesn't matter to them. I asked everyone who I spoke with if they were registered. They responded, yes. I later found out it wasn't true. I have found in my years as a politician, when you go door-to-door the people will tell you stories. They will tell you they are registered, even though they're not. I did not have a voters' registration list to confirm the accuracy of the responses. At the hearing for Mr. Osborne, held at the Board of Elections, it is my belief that the Board of Registration alleged two signatures on my collected petitions were forged, two, not one. This is not true; one name mentioned was Nicole James. Ms. James is a close family friend, a fellow church member of (name unclear) Church, and my son's personal babysitter for about 5-plus years. She signed the petition in the front yard when I picked up my son one day. The second name they alleged that was forged was Cecil Stamford. This gentleman is the father-in-law of Melissa Stamford, a former poll worker for (name unclear) Avenue Baptist. He also worked with Mr. Osborne at Johnson High School. They are close friends. To state that either of their names was forged shows the gross incompetence of the Board of Registration. This is the very Board that initially approved Mr. Osborne's petition to run without close scrutiny. This is also the same Board that allowed the district lines to be crisscrossed between Districts 1 and 6, prior to the election. I will state, under oath, that I did not forge any signatures. I did not violate any statute, Georgia 21-2-562. I took an oath as a county commissioner to uphold both the U.S. Constitution and the Georgia Constitution as a Deacon of the church of the Aisles Church; I am held accountable by God to tell the truth. And as God as my witness here today, I did not forge any signatures on any of those petitions. I have no personal, professional, or auxiliary relationship with Edwin Morris or Kimberly Ross. I wouldn't know them if they were in this room today. My only awareness of them is (coughing in audience) activities as provided by the Attorney General's Office and a summary that was sent to my home, which, by the way, was sent to the wrong address. I thank you for your time to respond to this matter. I want you to know, when the first investigator called me on the phone, I don't respond to phone calls. I don't know who is calling me. I don't have caller ID. If they had sent me an official letter, I would have responded, but anybody can call me on the

phone. It could have been a pizza delivery guy. I don't know. I told them to send me a letter. Nothing came. So, I did not respond. When I got the second letter, my neighbor gave it to me since it was delivered to 2 Stone Gate Court. That is why I'm here today. I respectfully ask that you pull me off this case and submit the rest of the information to the Attorney General. I believe there was an error that was in the petition but not my by hand.

SECRETARY HANDEL: Can I ask a question? Did you just say that you do believe that there were errors on the petition, but not by you?

MR. RAYNO: I do, based on what I have heard. I believe the testimony of Helen Stone and David Gallanty. I served on the commission with David Gallanty, who is the Chief of Police of Chatham County. I believe him when he says that. And I hope that he is still my personal friend.

SECRETARY HANDEL: The address on the record is the correct address.

MR. RAYNO: 3 Stone Gate Court not 2 Stone Gate Court.

SECRETARY HANDEL: Thank you. Any questions, colleagues?

MR. WORLEY: I had a question of Ms. LaGrua. When it says in the investigative report that there was a forgery on the petitions presented by Mr. Rayno, what is that based on?

MS. LAGRUA: Our investigators, actually, went, after hearing from Ms. Stone and Mr. Gallanty that they had spoken to some folks whose signatures appeared on the petition that said they did not sign the petition -- and we can go into the details a little further, if you want me to, with the investigator. But what we did was we identified the petitions that had addresses that looked -- I don't know if you would say questionable, where you had address after address right in a row where everybody was home and signed the petition. So what we did is we took the petition, the 1300 different signatures, we divided them up between a number of my investigators, and we randomly selected groups of neighborhoods to go back and check the petitions. We actually went back one afternoon for hours in a concentrated effort, door-to-door with the copies of the petitions, knocking on the door, saying Mr. Far, are you Mr. Far? Yes, I am. Is this your signature on this petition? Yes, it is. No it's not. So, we actually talked to every single person except, I believe, the two folks that are deceased, and we verified that. We talked to every person whose signature is an alleged forgery. Investigator McNeal, is that correct?

INVESTIGATOR MCNEAL: We didn't talk to every single person. We talked to as many as we could in the areas that were geographically grouped together.

MS. LAGRUA: And the additional forgeries that we found between the last meeting and this one were folks that we actually talked to and verified that their signatures were not on these petitions.

MR. WORLEY: What about the two people that Mr. Rayno mentioned?

SECRETARY HANDEL: Edwin Morris and Kimberly Ross.

MR. WORLEY: No.

SECRETARY HANDEL: Oh, the other two.

MR. RAYNO: Cecil Stanford and Nicole Chambers.

INVESTIGATOR MCNEAL: Without the exact pages in front of me, I wouldn't be able to recall exactly. We talked to so many different people. It is documented.

MR. RAYNO: Sir, we responded with --

SECRETARY HANDEL: I'm sorry. Would you wait a second and let him finish. I'm sorry. I couldn't hear your full response.

INVESTIGATOR MCNEAL: That's okay. Without the exact petitions in front of me documenting who was spoken to, I wouldn't know exactly, but it was all documented as to who was spoken to and their answers they gave to the questions and the reactions to the signature they were shown.

MR. RAYNO: As a respondent, it is difficult to respond to something when you don't know you have allegedly forged something and you've asked the office whose name was it and they wouldn't tell us. And I find that very troubling, because I wanted to come here today. You asked me to tell you what I know and to tell you the truth and respond to it, I can't do that because his office will not give me the information. These are the names that I heard at that one meeting at the Board of Elections, but I haven't heard anything since.

MS. LAGRUA: Madam Chair, if I could briefly, there are two things. No.1, this is an ongoing investigation that is being reviewed by the District Attorney's Office. We have provided the same amount of information that we always provide to respondents to come before this Board. I will not deny that while Mr. Rayno has every right not to speak with us, we did ask to speak with him, and since the time that we asked to speak with him I have spoken to his attorney and explained all of this and explained that we may have been able to address some of these things had Mr. Rayno been willing to talk to us. And I'm not faulting Mr. Rayno for exercising his right not to talk to us, but it's a little bit difficult to show up at a meeting this morning and say, I could have given you information, but we contacted all of the respondents in this case and requested interviews. We also let everybody know and my investigators -- and there are a number of them here -- if your attorney wants to be present and contact us, we will go through your attorney and talk to the respondents. And we offered that on a number of occasions and Investigator McNeal, actually, followed up with a number of attorneys, when we knew who they were in this case, requesting interviews with the respondents and those attorneys. And I believe we have the name of Mr. Rayno's attorney. I don't believe that was provided to us at that time. But most of the attorneys declined to have their clients speak to us.

SECRETARY HANDEL: Can I ask you a question? You mentioned Edwin Morris and Kimberly Ross in your comments.

MR. RAYNO: Yes, because I read that in the information that was given to me from the Attorney General.

SECRETARY HANDEL: Any other questions? Thank you. Thank you, very much. Anyone else? Commissioners, did you want to speak on the case.

SECRETARY HANDEL: She's coming up. I think I said Lirda Detsantó. It's, actually, Lynette Detsantó. So let me call that out again. Is Lynette Detsantó here? I misspkked on that. Sorry.

MS. STONE: Good morning, my name is Helen Stone. I live at 9974 Whitfield Avenue, Savannah, Georgia 31406. I appreciate the opportunity, again, to address all of you all. And for your diligent efforts to make sure that this case is handled properly. I am still receiving phone calls of people whose names were forged, wanting to know the status of this. I think there is a great deal of hurt among some of these ladies and gentlemen who feel somewhat victimized. My concern here today, and the only thing that I have to add -- I think Ms. LaGrue has done an outstanding job presenting all the information that she has -- and I don't have anything to add to that, except that Mr. Rayno's testimony, all of these people work together. They all use the same notary public. And so, I would really strongly urge this Board to really keep this evidence together and not to eliminate any of the partners that are bringing forth this information. I feel strongly that they acted collaboratively to try to get me out of office. And I would not like to see any of these people eliminated from this case until it can be proved that they had nothing to do with these forgeries. Mr. Rayno, being a former commissioner, he knew the district lines. So, I'm just urging all of you all to keep all of the information together until this case is completed and, again, I appreciate all the hard work that you all have put in up to this point.
Thank you.

SECRETARY HANDEL: Mr. Gallantly.

MR. GALLANTY: Madam Secretary, members of the Board, I'm Dave Gallantly. I have been serving 9 years as a Chatham County Commissioner. Prior to that I have 40 years of experience in law enforcement, 30 years of which it was the rank of Chief of Police, 20 years of which I was Chief of Police in Savannah. The only reason I point that out is I would like to compliment your office. I think that your personnel has done a very efficient and competent and thorough investigation. Both Commissioner Stone and myself deeply appreciate that. I do want to point out that I agree with Commissioner Stone. I think that this has been a travesty, in my opinion. This is the ultimate stripping someone of their identity. This is identity theft. Myself and Commissioner Stone and other commissioners have received requests as to what's going on, because, you know, a lot of time has passed. And they are very concerned about it. I think the last time I came here I told you that I personally talked to a widow whose deceased husband was on that list. I watched her. First, she cried. And then she became angry. And I want to tell you, she is still angry. And, I think, rightfully so. There is a lot of people, -- I don't

know who is right or who is wrong, because your office has been very professional and hasn't shared their detailed information with me, as much as I tried to get some. I want you to know that they are very professional. And they have done their job. I think when they talk about 44 forgeries, in my opinion, all you need is two or three of them to make a case, but I look at those petitions and my professional opinion is there is hundreds of forged signatures in there and everyone of them constitutes a separate felony from the way I understand it. I just want you to know there is a lot of interest in this. For whatever it's worth, I can tell you there are a lot of constituents down in Savannah, both mine and Helen Stone. We want to see justice on this. There are a lot of people that want to see justice on this, especially, when dead people are signed up. I made this statement the last time I came here, before I was Chief of Police, here in Savannah, I was Chief of Police right in the Chicago area in Madison, Illinois, 21 miles from -- (audience member coughing) This type of thing occurs rampantly there, but it does not occur in Georgia, and it must not occur in Georgia. I have lived in Georgia for there 30 years. This is my home. I'm proud of this state. And I know that your office and the attorney general's office will look at this very closely. Justice needs to be done. Thank you.

SECRETARY HANDEL: Thank you, very much. Anyone else on this case?

(NO RESPONSE)

SECRETARY HANDEL: Colleagues, questions?

MR. WORLEY: I didn't really have a question. I sort of had a statement. Something that Ms. Stone said disturbed me and I don't want to you think these allegations are not serious. We are taking them very seriously. And the Secretary of State's Office, through the Inspector General Office has put in a Jot of time and effort and resources into investigating this situation. But you said that the people who have been accused have to prove that they were not involved in these events. Actually, they don't have to prove anything. This office, the Secretary of State's Office, the Attorney General's Office, and the District Attorney's office have to wind up proving what happened and these people were involved here. And, I think, we should all be very clear about that. This is America and the accused person does not have to prove his innocence. So, I just want to make sure that everyone understands that.. Secondly, I make a motion that we refer everything to the District Attorney's Office and the Attorney General's office, except for Mr. Rayno's case, because I would like to discuss that separately.

SECRETARY HANDEL: Take a motion separately on that one?

MR. WORLEY: Yes.

SECRETARY HANDEL: And I'll second. So the motion is to refer all with the exception of Mr. Rayno to the District Attorney as well as -- transmit it to the District Attorney, as well as over to the Attorney General's Office. Questions on that one?

(NO RESPONSE)

SECRETARY HANDEL: All in favor?

(WHEREUPON THERE WAS A CHORUS OF AYES)

SECRETARY HANDEL: Any opposed?

(NO RESPONSE)

SECRETARY HANDEL: All right.. So, that is that.. Now, Mr. Rayno, you have some questions for him.

MR. WORLEY: Yeah. I just am a little troubled because the evidence that we have before us, we have a statement that the petitions that Mr. Rayno submitted had two forgeries. It says one here. You say the Board identified two people. I would really like to table this to the next meeting, until we can get a fuller report on these two people. And see if -- (inaudible).

MS. LAGRUA: I am obviously at the Board's direction. I'm happy to do that. I will point out that we found 48 forgeries. We did not go back to every name on the petition. So, any additional investigation we do could uncover additional violations is the only thing.

MR. WORLEY: I'm not suggesting additional investigation. I am saying I would like to -- we have had Mr. Rayno say two people have been mentioned. He described why they were not likely to have had their signatures forged. I would just like to know how that correspondence, the one or two names that we say were forged --

MS. LAGRUA: If it meets with the Board's approval, the investigator is here. If we can table this towards the end of the meeting, we may be able to have an answer to that before the end of the meeting where we can table it to the next meeting and I can report.

MR. WORLEY: I am happy to wait until the end of this meeting. I would like to know before. I think we need to have something more than just a statement in here, since we have had Mr. Rayno come and specifically say that those people didn't forge.

SECRETARY HANDEL: I am happy to get some additional info. I will say, for me, part of the issue here is that you had a group of people who appear to have been colluding to have this overarching, sort of scheme, if you will, to collect forged signatures. So, for this member of the SEB, it is not going to be compelling for me that even if it comes back that there were zero forged signatures on your particular petition, I am having a hard time separating out that this is a group of people who were not engaged in this together. It would be something that I would like to see the District Attorney -- because they will have far broader capabilities than our office does, including subpoena powers, etcetera, regardless of whether the additional shows; I think that there is enough here, given the overall effort that took place on all of this to warrant everyone being looked at further and if in the process of the DA's investigation or what the Attorney General goes through. And if they find that there was no participation whatsoever, knowledge, etcetera, from Mr. Rayno, fine; but I don't feel like I have enough evidence at this point to dismiss him from the case at this point, for this individual.

MR. WEBB: I concur. I think he seems to make a good case. But I don't think we have all

the facts. I don't think that's our jurisdiction to do that. So, I think at this stage -- I wouldn't mind hearing more, but I would almost say, let's not table it.

SECRETARY HANDEL: Make a motion.

MR. WEBB: I make a motion that we include Mr. Rayno as part of the group that's being referred to the Attorney General and the District Attorney.

SECRETARY HANDEL: Second. All in favor.

(WHEREUPON THERE WAS A CHORUS OF AYES). 2

SECRETARY HANDEL: Opposed.

MR. WORLEY: No.