

OFFICE OF THE COUNTY CLERK
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August 19, 2020

Inez Brown, City Clerk
City of Flint
1101 Saginaw Street
Flint, MI 48502

Dear Ms. Brown:

This correspondence is a follow up to the August Primary 2020 Canvass.

The poll books for the regular precincts were all in balance. There were a several deficiencies with those books involving a lack of all signatures in certain areas, missing check marks for tasks that should have been performed, etc. Those issues have come up in past canvasses multiple times and the Board has brought in election inspectors to make corrections. For this canvass, the Board decided not to have the election inspectors attend the canvass for those types of deficiencies. Doing so would have required a great deal of extra work to get all of the individuals involved contacted, scheduled, and managed at the canvass. Documentation of the deficiencies was made on the Canvassers Checklists and our office will be forwarding those to you sometime next week.

As you are aware, the Board of Canvassers requested all items relative to the City of Flint AVCB for their use during the canvass. The purpose of the requests were to attempt to bring into balance the precincts within the City of Flint Absent Voter Counting Board. During the canvass, Genesee County Board of Canvassers performed the following steps:

1. Requested all ballot storage containers from the AVCB.
2. Interviewed the chairperson of the City of Flint AVCB.
3. Requested all return ballot envelopes and applications for AV ballots.
4. Interviewed Gloria Boone, Election Supervisor, City of Flint.
5. Utilized three election workers to perform steps to bring as many AVCB precincts into balance as possible.

Following is a summary of what occurred on Election Night and the following day as well as what was learned during the canvass:

1. There were approximately 25 election inspectors in your AVCB at the start of the day. Those 25 individuals arrived between 6:30 a.m. and 7:00 a.m. and were ready to work at 7:00 a.m.
2. The AV ballots were delivered to the AVCB by your staff at approximately 10:00 a.m. That is a full three hours of waiting which created a waste of 75 work hours that could have been used to process ballots. It was also the best time for those people to work because they had just arrived, were fully rested, and ready to take on the long day.
3. The election inspectors began the physical count of the envelopes immediately at 10:00 a.m. and none of the counts for any of the precincts matched the number of return ballots listed in the poll books.
4. The election inspectors began to match up the names on the list of voters with the envelopes only to discover that the envelopes were not maintained by your staff in any order whatsoever. It is common knowledge that the City Clerk's Office has an obligation to maintain organization of the AV ballots received by their office as they are returned. Included in that responsibility is organization of those envelopes separated by precinct and maintained in either alphabetical order or numeric order by ballot number.
5. The election inspectors within the AVCB spent from 11:00 a.m. until 4:00 p.m. on Election Day sorting and organizing envelopes so that they could discern where and why the counts were off. That task is the responsibility of your staff in the days leading up to Election Day; clearly a total failure of that responsibility occurred.
6. The first precincts began tabulating ballots at approximately 5:00 p.m. on Election Night. That is a full 10 hours after those people reported to work. 25 workers at 10 hours is 250 work hours spent doing work that is supposed to be performed by your staff prior to ballots being delivered to the AVCB at 7:00 a.m. on Election Day. In 10 hours, a group of 25 workers can process approximately 4,000 ballots and, instead, they were sorting and organizing envelopes.
7. The first few election inspectors left to go home at 10:00 p.m. on Election Night when there were still many thousands of ballots to be processed. The migration of your election inspectors continued (a few at a time) throughout the evening and early morning until only 6 remained at 1:00 a.m.
8. At 1:00 a.m. I personally spoke to Gloria Boone via telephone. Gloria told me that the final run of envelopes had been taken into the AVCB a few minutes prior. She stated "we didn't get started as early as we'd hoped" but never offered any information as to what that meant. She said that the AVCB had already completed all of the other ballots provided to them and only those 300 remained to be processed. She advised that we would have results "in a couple of hours". At the canvass we learned that, as of 1:00 a.m., there remained thousands of ballots yet to be processed and not enough people to perform the functions.
9. At 5:30 a.m., our office spoke to Gloria and was told simply that the AVCB is working on ballots and we don't know how much longer it will be. Gloria never advised our office of the desperate state of your AVCB. There was never any mention of the need for

assistance or any information whatsoever to advise our office how much longer we would have to wait.

10. At 6:00 a.m. on Wednesday, August 5, two more inspectors left and only four people remained in your AVCB to process and tabulate ballots.
11. Both you and Gloria Boone visited the AVCB during the night and the following day and were both fully aware of the state of affairs within the room. Still at no time whatsoever, was our office contacted and made aware of the situation.
12. At 9:27 a.m., I sent an e-mail to your full staff asking for an update on the AVCB. Specifically I asked for the total number of returned AV ballots, the total currently processed, the current status of each individual board, and an honest answer as to when the results and poll books would be provided. You responded within a few minutes that you would get back with me shortly. At 1:20 p.m. I again inquired, via e-mail, as to when the information would be provided and you advised that you were at home changing clothes and that "it would have been helpful if I had notified you in advance since so much is going on time-wise." At 1:20, the afternoon *after* Election Day, I shouldn't have needed to ask any questions and I certainly couldn't have provided you with *advance notice* as I would never have expected such a situation in the first place. Yet still you did not answer any of the questions posed by me in my 9:27 a.m. e-mail. Questions that should have taken 10 minutes to answer. I'd also like to point out that our staff had not been home yet and would not get to go home until after the last precinct was received and the Board of Canvassers adjourned for the day.
13. At 2:06 p.m. I received an e-mail from you that you were transmitting results. There was another e-mail at 2:40 p.m. advising that you were experiencing transmission issues and the results were finally received at our office at 3:12 p.m. on Wednesday, August 5, 2020.
14. The four election inspectors that remained in your AVCB, began the process of balancing poll books and worked until 8:30 p.m. on Wednesday, August 5, 2020, at which time Gloria advised them to "wrap it up". The inspectors were not permitted to complete their work; they did not seal the ballot containers; they did not complete the paperwork in the poll books, and did not tally any write-in votes. In fact, Gloria Boone sealed the ballot containers, and did so improperly.
15. None of the AVCB materials were reviewed by a receiving board.
16. On August 5, 2020, nine ballot transfer containers were delivered to the canvass upon request of the Board; five contained no certification and were not documented in the respective poll books rendering the containers un-recountable.
17. On August 6, 2020, three election workers compared the return envelopes against the lists of voters in an attempt to bring the precincts into balance. The following were brought into balance at the canvass: AVCB-63, AVCB-64, AVCB-66 and a portion of AVCB-67. AVCB-67 ballots are sealed into two containers and only one is documented in the poll book. Therefore, if a recount occurs, only the portion of ballots sealed into the documented container will be recountable.
18. AVCB Precinct 34 remained out of balance. Therefore, the three election workers went through *all* of the AVCB envelopes in an attempt to locate the missing three. The missing three envelopes were eventually found in the Local Clerk Envelope for that

board. The Local Clerk Envelope was provided to the Board by Gloria Boone. The three AV envelopes were unopened and no notations were indicated as to why they were not processed. During the canvass, the three envelopes were opened, the stubs were removed from the ballots, and the results stemming from those three ballots were added into the official results. The three ballots were then sealed into the appropriate ballot container. That work, which encompassed more than two hours, brought AVCB Precinct 34 into balance.

19. Ballot container seal numbers were not documented for AVCB-65 (two containers), AVCB-68 (two containers), and AVCB-67 (one container).

During the interview with Gloria Boone, the Board of Canvassers asked why the work of the AVCB failed so badly, *for this election*, when they had seen so much improvement over the last few canvasses. Gloria offered a number of excuses including the fact that your office issued and received a large number of AV ballots, your office experienced a large volume of phone calls, and the like. Those things were true in every local clerk's office within the State of Michigan; City of Flint was not an exception. Every local clerk's office has an obligation to issue and receive AV ballots and to do so in an organized and timely fashion. It is no secret that the City of Flint did not maintain the returned AV ballots in an organized manner which is imperative to a properly run AVCB.

Gloria also said that the employee who spearheaded the internal work of organizing absentee ballots for the past few elections had been pulled off of that assignment due to reasons she couldn't articulate but implied that "it had to do with politics". She then later said that the individual had not been removed from working with the AVCB envelopes and, therefore, did not know why the envelopes were not in proper order. If it is true that a specific individual was removed from your internal processes for AV ballots, it was evident within the canvass.

Regardless of the reasons for the failures within City of Flint AVCB, the fact remains that your office failed to provide the AVCB with ballots at the opening of the polls. Further, your office failed to provide the AV ballots to the AVCB in proper order. Further, your office failed to maintain a sufficient number of election inspectors within the AVCB to process the ballots that were returned. Lastly, your office failed to have the AVCB poll books and related materials reviewed by a receiving board prior to delivery to the County Clerk's Office.

It has been brought to our attention by Hart Intercivic that City of Flint will be obtaining a high speed ballot tabulation system. We were told that it will likely be in place for the November 2020 General Election. While that equipment will make tabulating ballots faster, the AVCB will continue to struggle and fail until such time as *your office* properly processes, organizes, and maintains returned AV ballots in a consistent manner. That must occur as the ballots are returned, every day leading up to Election Day, without fail.

This correspondence requires no response. I have taken the time to fully inform you that we are aware of the failures and deficiencies within your AVCB during the August 2020 Primary Election. I strongly recommend that you reach out to Bureau of Elections to seek assistance in

getting a handle on how to properly maintain an AVCB. I sincerely hope that major steps will be taken to assure that such failures do not occur in the quickly approaching November 2020 General Election as well as all elections in the future.

Signed,

A handwritten signature in black ink that reads "Doreen D. Fulcher". The signature is written in a cursive style with a large initial "D".

Doreen D. Fulcher
Genesee County Election Supervisor

Cc: Genesee County Board of Canvassers
John J. Gleason, Genesee County Clerk/Register
Jonathan Brater, Election Director, Bureau of Elections
Lori Bourbonais, Election Liaison, Bureau of Elections