

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

BLACK VOTERS MATTER FUND,
and MEGAN GORDON, on behalf of
herself and all others similarly situated,

Plaintiffs,

vs.

BRAD RAFFENSPERGER, in his
official capacity as Secretary of State of
Georgia; DEKALB COUNTY BOARD
OF REGISTRATION & ELECTIONS
and all others similarly situated,

Defendants.

Civil Action No.

PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

Plaintiffs urgently seek relief from an unconstitutional barrier to mail-in voting, which will likely skyrocket this year because of the pandemic. Georgia elections officials require voters to buy their own postage when mailing in absentee ballots or absentee ballot applications. For the reasons set forth in the accompanying memorandum, this is an unconstitutional poll tax.

Plaintiffs thereby move for a preliminary injunction: 1) requiring Defendant Secretary of State to issue guidance to all counties that they must provide postage

prepaid envelopes with absentee ballots (i.e., make the larger envelope already provided for purposes of mailing in the absentee ballot be postage prepaid); and 2) requiring Defendant Secretary of State to revise the absentee ballot application form such that they can be mailed in with postage prepaid and require county election officials to use the revised form. While no further injunction is necessary because county election officials follow the Secretary of State's guidance, Plaintiffs reserve the right to seek any injunction specific to Defendant DeKalb County Board of Registration & Elections or other county officials who do not follow the Secretary's guidance on this issue.

As far as timing, Plaintiffs ask that the above injunction is entered as soon as practicable, and that briefing on this motion be expedited, so that no one has to pay a poll tax in the upcoming May 19 primary or any July 21 primary runoff.

If the above timing is not possible, Plaintiffs alternatively request that any injunction take effect as early as possible (Plaintiffs suggest no later than June 1) to allow Defendants to eliminate the poll tax with ample time before the November general election.

Respectfully submitted this 8th day of April, 2020.

Sean Young

Attorney Bar Number: 790399

Attorney for Plaintiffs

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Attorneys for Plaintiffs

**Pro hac vice application forthcoming*

CERTIFICATE OF COMPLIANCE

Pursuant to N.D. Ga. Local Civil Rule 7.1(D), I hereby certify that the foregoing has been prepared in compliance with N.D. Ga. Local Civil Rule 5.1(C) in Times New Roman 14-point typeface.

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I hereby certify that on April 8, 2020, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system. I have asked a process server to formally serve Defendants these motion papers. As a courtesy, I have emailed these papers, including the complaint, to the General Counsel of the Secretary of State's Office, as well as the county attorneys for DeKalb County.

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Defendants.

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**PLAINTIFFS' BRIEF IN SUPPORT OF THEIR MOTION FOR
PRELIMINARY INJUNCTION**

SUMMARY

American democracy is facing an unprecedented public health crisis. The government and the public, especially healthcare workers, are doing their best to fight the dangerous COVID-19 pandemic. And just as Americans bravely cast ballots in 1918 when the deadly Spanish flu was raging, patriotic voters will keep our democracy moving forward by casting ballots during this election year.

However, because of the pandemic, it is widely expected that a record-breaking number of Georgia voters will be voting by mail this year. The Governor's shelter-in-place orders and the attendant need for social distancing caused by the highly contagious virus has made it unrealistic for most, if not all, voters to cast ballots in-person. In light of this surge, it is critical that all unconstitutional barriers to the mail-in voting procedure be removed as soon as possible.

The stakes are high but this case is simple. This case is about whether election officials can constitutionally require voters to pay for their own postage when casting mail-in absentee ballots (and mailing in absentee ballot applications), especially when voting by mail is the only real option during the ongoing public health crisis caused by COVID-19.

The answer is no. The United States Constitution (through the Twenty-Fourth and Fourteenth Amendments) prohibits the government from imposing a poll tax. *See Harman v. Forssenius*, 380 U.S. 528 (1965); *Harper v. Va. State Bd. of Elections*, 383 U.S. 663 (1966). Requiring mail-in absentee voters to pay for their own postage is a poll tax because it forces voters to spend money in order to mail in absentee ballots. *See Milwaukee Branch of NAACP v. Walker*, 851 N.W.2d 262, 274-79 (Wis. 2014) (“payments to government agencies to obtain documents necessary to voting [is] a de facto poll tax”). This requirement is thus unconstitutional.

This is sufficient for Plaintiffs to prevail as a matter of law and obtain relief for all voters, even if wealthy or middle-class voters can easily afford a 55-cent postage stamp. *See Harper*, 383 U.S. at 668 (\$1.50 poll tax unconstitutional even if voters can afford it). But this case is not really about wealthy and middle-class voters. This case is about lower-income and vulnerable voters for whom the postage requirement imposes a serious burden due to the difficulty of obtaining or affording stamps especially during this COVID-19 pandemic. *See Exhibit A*. Court action is necessary to ensure that the most marginalized among us are able to participate in our democracy this year in the face of this public health crisis.

Accordingly, this Court should grant Plaintiffs' motion for a preliminary injunction, which would require Defendant Secretary of State to issue guidance to all counties requiring them to provide postage prepaid envelopes for absentee ballots and absentee ballot applications. Defendants need not learn how to do this from scratch, because state law already requires them to provide postage prepaid envelopes to voters in other contexts. *See* O.C.G.A. § 21-2-233(b); O.C.G.A. § 21-2-234(c).

In addition, Plaintiffs ask that relief be provided in advance of the upcoming May 19 primary and any primary runoff, currently scheduled for July 21, and an expedited briefing schedule that could make that possible. Nonetheless, Plaintiffs are mindful of the current crisis and its impact on voters, election officials, and the judiciary. If such injunctive relief is not granted in time for the May or July elections, Plaintiffs ask that it at least be granted well in advance of the November general election (perhaps no later than June), leaving ample time for election officials to ensure that absentee ballots and applications come with pre-postage paid envelopes for the November general election.

FACTUAL BACKGROUND

As discussed above, the COVID-19 pandemic will likely result in record-breaking numbers of mail-in absentee ballots being cast. Exhibit A (Albright Decl.)

¶ 4. This lawsuit seeks to ensure that mail-in voters are constitutionally protected during this time with minimal effort needed on the part of the State.

A. Voting By Mail is the Only Meaningful Way to Vote for Many Georgia Voters During the COVID-19 Pandemic

Due to the ongoing COVID-19 pandemic, many Georgia voters needlessly risk harm to their health, the health of vulnerable loved ones, and the health of other voters and election workers if they appear in-person at a polling place in Georgia. All levels of government have recognized this danger. For instance, in Georgia, the Governor declared a public health state of emergency on March 16, 2020 and issued a statewide shelter in place order on April 2, 2020. *See* Exhibit F. As the Governor recognized, COVID-19 is a highly contagious virus requiring people to stay at home as much as possible, avoid large crowds, and actively engage in social distancing. *See id.* The order notes that those who are elderly and suffer from chronic illness are at an especially higher risk of death. *See id.* Top scientists in the President's Administration recently estimated that COVID-19 could kill between 100,000 and 240,000 Americans and that this number would be much higher if Americans do not follow strict social distancing guidelines. *See* Exhibit G. The Georgia Department of Public Health has reported cases in all age ranges, with many victims under the age of 60. *See* Exhibit H. This Court has recently extended its order that no jurors or grand jurors be summoned and all jury

trials and grand jury proceedings be continued for an additional 30 days until May 15, 2020. *See* Exhibit I.

The number of confirmed COVID-19 cases in Georgia is growing rapidly. Over the last week, the number of reported COVID-19 cases has nearly doubled. As of the date of filing, there are at least 9,156 confirmed cases of COVID-19 in Georgia. *See* Exhibit H. Just six days ago, on April 1, there were only 4,638 reported cases. *See* Exhibit J.

Under these circumstances, most voters likely will not be voting in person, needlessly exposing themselves to the virus and potentially bringing the virus home to vulnerable loved ones. Even if voters want or need to vote in person during the pandemic, the availability of in-person voting options will likely be curtailed, as poll workers, the vast majority of whom are elderly and thus more vulnerable to COVID-19, are reportedly quitting and precincts are closing across the state. *See* Exhibit E.

For many Georgia voters, therefore, mail-in absentee voting will be the only meaningful way to vote in upcoming elections.

B. Voting By Mail in Georgia

Georgia allows a voter to cast an absentee ballot through the mail. O.C.G.A. § 21-2-385. Notwithstanding the “absentee” moniker, any registered voter may

vote absentee regardless of whether they have an excuse for not being present on Election Day. O.C.G.A. § 21-2-380.

To vote by absentee ballot, a voter must first submit an absentee ballot application via mail, fax, e-mail, or in-person. *See* O.C.G.A. § 21-2-381. If the application is sent by mail, the voter is responsible for affixing postage. *See* Exhibit B. There do not appear to be any statutes or regulations that require government officials to charge voters postage on absentee ballot applications.

After the absentee ballot application is received by election officials and approved, voters are mailed the absentee ballot itself. Absentee ballots are mailed on or after 49 days before Election Day. O.C.G.A. § 21-2-384(a). The absentee ballot also comes with two envelopes: one for the absentee ballot itself, and a larger one that requires voters to sign an oath printed on the outside of that envelope. O.C.G.A. § 21-2-384(b)-(c). The smaller envelope containing the absentee ballot goes into the larger one, and the larger one is what voters mail in to cast an absentee ballot by mail. *Id.*¹

¹ Strictly speaking, voting early in-person is also considered “absentee” voting, and voters can drop off absentee ballots in-person as well. For the sake of simplicity, references here to “in-person voting” includes voting early in-person and dropping absentee ballots off in-person.

Voters are required to affix their own postage when mailing in the absentee ballot. *See* Exhibit C (2020 Secretary of State Absentee Voting Guide) at 5 (“Delivery can be either U.S. first class mail or hand delivered by the voter. If mailing, you must affix postage to the ballot envelope.” (emphasis in original)). There do not appear to be any statutes or regulations that require government officials to charge voters postage on absentee ballots.

Defendants know how to provide postage prepaid envelopes to voters. That is because state law already requires them do so for voter list maintenance purposes. *See, e.g.*, O.C.G.A. § 21-2-233(b) (requiring officials to send certain voters a “postage prepaid, preaddressed return form” allowing voters to update their address); O.C.G.A. § 21-2-234(c) (“The confirmation notice shall be a postage prepaid, preaddressed return card”). And other states including Kansas, Iowa, and West Virginia, have been able to provide postage prepaid envelopes for mail-in absentee voters without incident. *See* K.S.A. § 25-433; I.C.A. § 53.8; W. Va. Code § 3-3-5.

A poll tax is unconstitutional as a matter of law even if many people can afford it, *see infra* Part I.A., but as Cliff Albright, the Executive Director of Plaintiff Black Voters Matter Fund, explains, the postage requirement is a significant problem for a wide array of vulnerable voters.

Many voters, especially lower-income voters, do not have postage stamps because they do not use them, or cannot afford to buy a book of stamps just for elections. Exhibit A. (Albright Decl.) ¶ 7. Many voters do not have Internet access or credit cards to purchase stamps online (to the extent they know about it), and they do not want to needlessly expose themselves to the COVID-19 virus to buy stamps at a post office. *Id.* ¶ 8. Many cannot even travel to a post office or other public place because they do not have cars. Ride-sharing programs or public transportation are especially dangerous in terms of virus transmission, and they do not exist anyway in large parts of rural Georgia. *Id.*

Making matters worse, voters do not even know how much postage is needed. *Id.* ¶ 9. Fifty-five cents may not be enough because ballots can sometimes be long and therefore heavier, and almost no voters Plaintiff works with have stamp scales. So Plaintiff has to encourage the use of extra and potentially unnecessary postage just to make sure their vote is counted. *Id.* Furthermore, many voters like the elderly, those with physical disabilities, and out-of-town voters can only vote by mail, so it is extraordinarily difficult if not impossible for them to vote in person. *See* Exhibit D (Gordon Decl.) ¶ 13. Even for those who are able to vote in-person, taking time off work or childcare to travel to a polling place can still be challenging. *See id.* And of course the COVID-19 public health crisis only

extends these barriers to many more Georgia voters for whom in-person voting is now no longer a meaningful voting option.

Individual Plaintiff Megan Gordon is a registered voter in DeKalb County. She, like other voters, cannot vote in-person because of the COVID pandemic. But she does not want to use her own postage stamps to mail-in absentee ballots or applications because she believes that no one should have to pay money to exercise their right to vote. *See* Exhibit D (Gordon Decl.) ¶¶ 4-8.

ARGUMENT

A preliminary injunction is warranted if the movant demonstrates: (1) a substantial likelihood of success on the merits; (2) irreparable harm in the absence of an injunction; (3) that the threatened injury to the movant outweighs whatever damage the proposed injunction may cause the opposing party; and (4) that an injunction would not disserve the public interest. *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008). Each of these factors weighs in favor of the requested injunction.

I. PLAINTIFFS ARE LIKELY TO SUCCEED ON THE MERITS OF THEIR POLL TAX CLAIM (Count One)

Here, Plaintiffs are substantially likely to succeed on their poll tax claim (Count One). Requiring voters to buy postage in order to vote absentee by-mail

imposes a *de facto* poll tax that unconstitutionally abridges the right to vote, especially when absentee by-mail voting is the only realistic means of voting for many Georgia voters while the COVID-19 public health crisis is ongoing.

A. Legal Standard: the United States Constitution bans poll taxes as well as *de facto* poll taxes

The Twenty-Fourth Amendment plainly and unambiguously bans poll taxes. It provides: “The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.” U.S. Const. amend. XXIV. *See Harman v. Forssenius*, 380 U.S. 528 (1965) (applying amendment). Courts have also construed the Equal Protection Clause of the Fourteenth Amendment as including this prohibition on poll taxes, with respect to all elections. *See Harper v. Va. State Bd. of Elect.*, 383 U.S. 663, 666 (1966) (“We conclude that a State violates the Equal Protection Clause of the Fourteenth Amendment whenever it makes the affluence of the voter or payment of any fee an electoral standard.”). Poll taxes are anathema to our democracy because “[v]oter qualifications have no relation to wealth nor to paying or not paying this or any other tax.” *Id.*

Under this legal standard, 1) the government imposes an unconstitutional poll tax when it directly requires voters to spend money to vote; 2) the government also cannot impose *de facto* poll taxes that require voters to obtain a documentary prerequisite to voting if the prerequisite document itself costs money; and 3) a poll tax is an unconstitutional abridgment of the right to vote even if there are alternative ways to vote that are technically “free” but still materially burdensome.

First, the government imposes an unconstitutional poll tax when it directly requires voters to spend money to vote. *See Harper*, 383 U.S. at 666 (government violates prohibition on poll taxes “whenever it makes the affluence of the voter or payment of any fee an electoral standard”). This is unconstitutional regardless of how small the amount, regardless of whether voters can afford it, and regardless of whether voters end up paying the amount. *See id.* at 668 (poll taxes are unconstitutional “whether the citizen, otherwise qualified to vote, has \$1.50 in his pocket or nothing at all, pays the fee or fails to pay it.”). And obviously, saving the government money is never a legitimate reason to impose a poll tax. *See Harman*, 380 U.S. at 544 (“the poll tax, regardless of the services it performs, was abolished by the Twenty-fourth Amendment” (emphasis added)). Otherwise, all poll taxes would be constitutional.

Second, the government violates the Constitution when it imposes a *de facto* poll tax indirectly, such as imposing a documentary prerequisite to voting, which in turn requires voters to spend money to buy the document. *See Harman*, 380 U.S. at 540-41 (“the Twenty-fourth [amendment] ‘nullifies sophisticated as well as simple-minded modes’ of impairing the rights guaranteed.”) (citation omitted)). The most common example of a *de facto* poll tax is a “Voter ID” law which requires voters to show photo identification when voting, which then requires voters to purchase photo identification. *See, e.g., Milwaukee Branch of NAACP v. Walker*, 851 N.W.2d 262, 274-79 (Wis. 2014) (explaining that courts “have characterized payments to government agencies to obtain documents necessary to voting as a *de facto* poll tax”). Thus, for example, Georgia’s Voter ID law was found to impose an impermissible poll tax because photo identification cost money at the time. *See Common Cause/Georgia v. Billups*, 406 F. Supp. 2d 1326, 1366-67 (N.D. Ga. 2005). But after Georgia made photo identification free, the same court concluded there was no poll tax. *See Common Cause/Georgia v. Billups*, 439 F. Supp. 2d 1294, 1355-56 (N.D. Ga. 2006).

Third, a poll tax is an unconstitutional abridgment of the right to vote even if there are alternative ways to vote that are free but are still materially burdensome. *See Harman*, 380 U.S. at 538, 541 (poll tax is an unconstitutional “abridgment of

the right to vote” even when there exists an alternative option, when the alternative still “imposes a material requirement” on those “who refuse to surrender their constitutional right to vote . . . without paying a poll tax.”). The alternative method of voting is considered “material” even if it is not “onerous” and even if the alternative is easier to do than paying a poll tax. *Id.* at 542 (poll tax remains unconstitutional even if alternative method is “somewhat less onerous[] than the poll tax. . . . [T]he poll tax is abolished absolutely as a prerequisite to voting, and no equivalent or milder substitute may be imposed.”). Thus, for example, the Supreme Court held that a \$1.50 poll tax was unconstitutional even if a voter could avoid paying the tax by obtaining or creating a certificate of residence for free and delivering it in person to local election officials. *See id.* at 541-43. Because obtaining a free certificate of residence was still a material burden, and had to be done on an annual basis, the poll tax unconstitutionally abridged the right to vote. *See id.*

In sum, the government imposes an unconstitutional poll tax not only when it does so directly, but also when it does so indirectly by requiring voters to spend money to satisfy a prerequisite to voting. The poll tax is an unconstitutional abridgment of the right to vote even if alternative methods are available to vote, when such alternative methods are still materially burdensome.

B. Application: Defendants violate the Constitution by requiring mail-in absentee voters to buy postage to vote

Here, the violation is plain. Georgia voters are required to purchase their own postage in order to cast a mail-in absentee ballot. Because voters must purchase a prerequisite to voting (i.e., postage), Defendants have imposed an unconstitutional *de facto* poll tax. The same holds true for absentee ballot applications, which also require postage when mailed.

Georgia's *de facto* poll tax is an unconstitutional abridgment of the right to vote even though there are alternative ways to vote for free. That is because such alternatives are still burdensome for those who do not want to pay the poll tax. *See Harman*, 380 U.S. at 542. Here, of course, voting in person is not just materially burdensome but completely off the table for nearly all Georgia voters because of the ongoing pandemic. Voting by mail is currently the only meaningful option for almost all Georgia voters—but they are, quite literally, being asked to pay to cast their ballots.

Moreover, requiring voters to pay postage to mail in ballots is still unconstitutional as a matter of law even if there were no pandemic. As noted above, many voters like the elderly, disabled, or those out-of-town can only vote by mail, so requiring them to vote in-person not only imposes a “material” burden, but an impossible one. Even for those who are able to vote in-person, taking time

off work or childcare to travel to a polling place still imposes at least a “material” burden, even if voting in-person is not “onerous” for them. *Harman*, 380 U.S. at 541 (poll tax unconstitutional where free alternative method required travel to local election officials on an annual basis). That is why many people vote by mail.

For these reasons, Plaintiffs are likely to succeed on their poll tax claim (Count One).

II. PLAINTIFFS ARE ALSO LIKELY TO SUCCEED ON THEIR *ANDERSON-BURDICK* CLAIM (Count Two)

Because Plaintiffs are likely to prevail on the poll tax claim (Count One), it is unnecessary for this Court to assess Plaintiffs’ *Anderson-Burdick* claim (Count Two). In any event, Plaintiffs are likely to succeed on that claim as well. Briefly, an *Anderson-Burdick* claim challenges a voting requirement under the First and Fourteenth Amendments. A voting requirement is unconstitutional if its burdens on voting, even if “slight,” are not justified by the government’s interests. *See generally Common Cause/Georgia v. Billups*, 554 F.3d 1340, 1352 (11th Cir. 2009).

Due to the pandemic, voting by mail is now the only meaningful option for the vast majority of Georgia voters for exercising their right to vote. Under these circumstances, the state’s imposition of a postage requirement effectively imposes

an unavoidable monetary burden on the franchise. Even if that burden is “slight” (which it is not, *see* Exhibit D), the government’s interest in saving money does not justify it, regardless of how small the amount. *See Harman*, 380 U.S. at 544 (“the poll tax, regardless of the services it performs, was abolished by the Twenty-fourth Amendment”). And the burdens on Defendants are minimal because they already know how to prepare prepaid postage, as state law already requires Defendants to do so for voter list maintenance purposes. *See* O.C.G.A. § 21-2-233(b); O.C.G.A. § 21-2-234(c); *see Martin v. Kemp*, 341 F. Supp. 3d 1326, 1339-40 (N.D. Ga. 2018) (“minimal burden” on Defendants where other statutes already require similar procedure (citing *Zinerman v. Burch*, 494 U.S. 113, 137 (1990))). Other states like Kansas, Iowa, and West Virginia have all been able to provide prepaid postage for mail-in voters apparently without incident. *See* K.S.A. § 25-433; I.C.A. § 53.8; W. Va. Code § 3-3-5. Plaintiffs are thus likely to succeed on their *Anderson-Burdick* claim as well.

III. THE REMAINING PRELIMINARY INJUNCTION FACTORS TILT DECIDEDLY IN PLAINTIFFS’ FAVOR

Requiring voters to needlessly expose themselves to the deadly COVID-19 pandemic to avoid paying a poll tax is both unconstitutional and unconscionable.

The remaining preliminary injunction factors thus weigh strongly in favor of granting Plaintiffs' requested relief this year.

When there is "an abridgment to the voters' constitutional right to vote, irreparable harm is presumed." *Touchston v. McDermott*, 234 F.3d 1133, 1158-59 (11th Cir. 2000). The balance of hardships also weighs in Plaintiffs' favor. This pandemic is forcing unprecedented numbers of Georgia voters to a mail-in voting process that essentially charges all of them money to vote. More pressing, many marginalized voters do not have postage stamps and cannot afford buying a book of stamps online or are unable to because they do not have Internet access or a credit card. Voters also cannot be expected to go to a post office or grocery store to buy stamps in-person in the middle of a pandemic. Making matters worse, the amount of postage is also unclear because 55 cents may be insufficient if the ballot is too long and heavy, and only the few voters that actually own stamp scales can know with any certainty. And emailing absentee ballot applications is not an option for the many lower-income Georgians (not to mention many others) who lack Internet access, a smartphone, a computer, a printer, and/or a scanner. *See supra* Factual Background.

Defendants' potential burden pales in comparison to these circumstances. Defendants already know how to provide pre-paid postage envelopes because they

are legally required to do so in other circumstances. *See* O.C.G.A. § 21-2-233(b); O.C.G.A. § 21-2-234(c); *Martin v. Kemp*, 341 F. Supp. 3d 1326, 1339-40 (N.D. Ga. 2018) (“minimal burden” on Defendants where other statutes already require similar procedure (citing *Zinerman v. Burch*, 494 U.S. 113, 137 (1990))). Other states like Kansas, Iowa, and West Virginia already do this. *See* K.S.A. § 25-433; I.C.A. § 53.8; W. Va. Code § 3-3-5. And “there is no contest between denial of access to the ballot and a state’s administrative burden.” *Jones v. Gov. of Fla.*, 950 F.3d 795, 829-30 (11th Cir. 2020) (citation omitted).

Should briefing on this motion be expedited, this Court can potentially grant relief that would prevent any voter from being subjected to an unconstitutional poll taxes as early as the May primary and/or the July primary runoff.² At a minimum, this motion has been filed to allow plenty of time for Defendants to take needed action impelled by an injunction well before the November elections. Though the government often argues that its interest in enforcing statutes weighs strongly against a preliminary injunction, here Plaintiffs have not found a single statute or

² By way of reference, on March 27, 2020, the Governor of Michigan signed an emergency order requiring election officials to provide prepaid postage for all mail-in ballots with respect to the May 5, 2020 elections. *See* Exhibit K (press release and executive order).

... footnote continues on next page

even regulation that would need to be enjoined.³ Lastly, the public interest weighs in favor of an injunction because “cautious protection of . . . franchise-related rights is without question in the public interest.” *Id.* (quoting *Charles H. Wesley Educ. Found., Inc. v. Cox*, 408 F.3d 1349, 1355 (11th Cir. 2005)). This is especially important in an election year taking place during a pandemic, in which mail in absentee voting will be the only realistic means for many, if not most, Georgia voters to participate in our democracy.

CONCLUSION

Voters should not have to choose between needlessly exposing themselves to a deadly pandemic and spending money for the right to vote. Plaintiffs’ motion for a preliminary injunction should be granted.

Respectfully submitted this 8th day of April, 2020.

Sean Young

Attorney Bar Number: 790399

AMERICAN CIVIL LIBERTIES UNION

FOUNDATION OF GEORGIA, INC.

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³ Even if an injunction required a statute or regulation to be enjoined, it would still be warranted. *See Jones*, 950 F.3d at 829 (“The State’s broad interest in enforcing its statutes, standing alone, would be applicable any time a statute’s constitutionality is challenged and a preliminary injunction issued against its enforcement. The State’s argument in this case, if it carried the day, would prove too much—hardly any preliminary injunction could ever issue.”).

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Attorneys for Plaintiffs

**Pro hac vice application forthcoming*

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DECLARATION OF CLIFF ALBRIGHT

My name is Cliff Albright and I am over the age of 18 and fully competent to make this declaration. Under penalty of perjury, I declare the following:

1. I am the Executive Director of Black Voters Matter Fund (“Black Voters Matter”).
2. Black Voters Matter is a non-partisan civic organization whose goal is to increase power in communities of color. Effective voting allows a community to determine its own destiny. Communities of color often face barriers to voting that other communities do not, so we focus on removing those barriers. Black Voters Matter works on increasing voter registration and turnout, advocating for policies to expand voting rights and access, such as expanded early voting, resisting voter ID, re-entry restoration of rights and Strengthening the Voting Rights Act. We also advocate for policies that intersect with race, gender, economic and other aspects of equity.
3. Black Voters Matter is particularly active in the rural Black Belt of Georgia, which includes several counties in southwest Georgia. We focus on those communities because they tend to be the most neglected, and have higher rates of poverty than other places.

4. Due to the COVID-19 pandemic, we expect that the use of mail-in absentee voting will skyrocket this year. This means that our efforts will now focus almost exclusively on educating voters about the mail-in absentee ballot and application process, and helping voters cast mail-in absentee ballots this year.

5. We intend to start a texting and phone banking initiative to reach out to registered voters who are wrongfully considered “inactive” by the State of Georgia, among other voters. Although the Secretary of State recently sent absentee ballot applications to registered “active” voters, they did not send them to “inactive” voters.

6. We are using texting and phone banking to educate voters about the mail-in absentee voting process, including how to obtain an absentee ballot application, how to fill it out, how to fill out the absentee ballot, and how to get postage stamps.

7. Many voters, especially lower-income voters, do not have postage stamps because they do not use them, or cannot afford to buy a book of stamps just for elections.

8. Helping voters obtain postage stamps can be complicated and time-consuming because some voters do not have Internet access or credit cards to purchase them online, and they do not want to needlessly expose themselves to the COVID-19 virus to buy stamps at a post office. Many cannot even travel to a post

office or other public place because they do not have cars, there are no ride-sharing programs or public transportation in large parts of rural Georgia.

9. Making matters worse, voters do not even know how much postage is needed. 55 cents may not be enough because ballots can sometimes be long and therefore heavy. Almost no voters we work with have stamp scales. So we have to encourage the use of extra and potentially unnecessary postage just to make sure their vote is counted.

10. Dealing with the postage stamp issue takes up a lot of our time and resources, impeding our mission to increase voter participation in rural Black communities. Because effective voter education requires that instructions be clear and straightforward, the postage stamp barrier makes it harder for to effectively communicate to voters.

11. We are diverting resources towards the postage stamp issue when they could be used for our other activities. Such other activities include helping people obtain absentee ballot applications, when many do not have printers to print the application from online. Though voters are supposed to be allowed to ask for applications by calling election offices, we have already heard reports of several southwest Georgia elections offices not answering the phone. They also include helping voters submit those applications, and while it is possible to submit


applications by e-mail, many voters do not have Internet access. We must also educate voters about submitting the applications as soon as possible, because while technically any voter can ask for an application as late as the Friday before Election Day, it is impossible for such voters to send in an absentee ballot so that it arrives on Election Day.

12. Efforts also include helping people navigate the absentee ballot process itself. Lengthy absentee ballot instructions make it difficult for many voters, especially those with minimal schooling, to follow those instructions.

13. All of this work is time consuming and is being limited by the time we have to devote to dealing with postage stamp problems. We could help so many more voters if we were not sidelined by this issue.

14. Based on my experience, I also anticipate that we will receive many calls and questions about the absentee ballot process. This call volume will likely be higher because of the postage stamp issue.

I declare under penalty of perjury that the forgoing is true and correct.


Cliff Albright

4/7/2020
Date

INSTRUCTIONS FOR MAILING OFFICIAL ABSENTEE BALLOT APPLICATION

In order to receive a ballot by mail for the election, you may vote the ballot you receive in lieu of a ballot.

6. To secure the mailer and to protect your information, tab or tape shut using clear tape within 1 inch of the bottom edge. **This is required for the post office to accept it.**

7. In lieu of mailing, you can scan or take a picture of your completed and signed application and email it to: voterreg@dekalbcountyga.gov

8. Cut along line before returning form.



APPLICATION FOR OFFICIAL ABSENTEE BALLOT

003-1514117

Voter Registration #: 07985597

(Failure to fill out the form completely could delay your application)
Election, or Runoff: 5/19/2020

1	First: Megan Last: Gordon	Middle: Lane Suffix:
2	Street: [REDACTED] City: Clarkston County: Dekalb	Zip: 30021-1059
3	Street: _____ City: _____ Country: _____	Zip: _____

AFFIX
FIRST CLASS
STAMP HERE

4380 MEMORIAL DRIVE
SUITE 300
DECATUR, GA 30032-1239

003-1514117



Georgia Secretary of State

ELECTIONS DIVISION

Absentee Voting

A Guide for Registered Voters

2020

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This guide is an overview of Georgia's absentee voting process. Additional information is available on the Secretary of State's web site at www.sos.ga.gov. Please use this guide along with the Georgia Election Code and the Georgia State Election Board Rules. Citations in this guide refer to the United States Code (U.S.C.), Georgia Election Code (O.C.G.A.) or Georgia State Election Board Rules.

In all matters, the law and rule are the final authority.

THE WAYS TO VOTE IN GEORGIA

Election Day Voting

On Election Day, you must vote at your assigned precinct and present a photo ID. To check your precinct location online go to: www.mvp.sos.ga.gov.

Absentee Voting By Mail

Any voter registered in Georgia can vote absentee by mail. Just complete the application found in the back of this guide. Then, mail, fax, email (as an attachment), or drop the application off at your county registrar's office. We urge you to request your mail-in ballot and get it back to your county registrar's office as soon as possible. Mail-in ballots can be requested no earlier than 180 days prior to the election and must be received by your county registrar no later than close of the polls on Election Day.

There are special provisions for Georgia Military and Overseas Voters that can be found at: http://sos.ga.gov/index.php/elections/military_and_overseas_voting2.

Absentee Voting in Person

Any voter registered in Georgia may vote absentee in person. This allows you to vote on a day and time that is convenient for you. Beginning on the 4th Monday prior to Election Day, simply visit your county or municipality early voting site, fill out the application, and present one of the permitted forms of photo ID. As Election Day approaches, your county may have multiple early voting sites and even extended hours. Voting times and locations for your precinct can be found at: www.mvp.sos.ga.gov/.

Some counties offer ballot delivery for registered voters who are hospitalized. Contact your county registrar at least 5 days prior to the election for information regarding this option.

ABSENTEE VOTING BY MAIL

Applying For Your Absentee Ballot

Paper absentee ballots will be mailed to voters only upon request. All written requests must be submitted (by mail, fax, email) or personally delivered to the registrar office in the county where you are registered to vote. Addresses and contact information can be found at:

<http://sos.ga.gov/cgi-bin/countyregistrarsindex.asp>.

Written requests for absentee ballots can be made in the following ways:

1. Absentee applications can be downloaded from the Secretary of State's website at www.sos.ga.gov/elections.
2. You can submit a written request for an absentee ballot by providing the following information to your county registrar or absentee ballot clerk:
 - Your name,
 - Date of birth,
 - Registration address,
 - Temporary out of county address to which the ballot should be sent,
 - Type of election (presidential preference primary, general primary, primary runoff, municipal, municipal runoff, special, general, general runoff),
 - Name of party ballot being requested (for primaries),
 - Date of election, and,
 - Your signature including the date of the request (or the dated signature and noted relationship of the person requesting the ballot on your behalf).

Except in the case of a physically disabled voter residing in the county or municipality or a voter in custody in a jail or other detention facility, no absentee ballot shall be mailed to an address other than the permanent mailing address of the elector as recorded on the elector's voter registration record or a temporary out-of-county or out- of-municipality address.

There are no restrictions on who may assist an elector in completing an absentee ballot application when the elector is personally submitting the application.

There are restrictions on who can apply for an absentee ballot on behalf of an elector and what must be contained within the application. See page 6 of this guide for more information.

Ballot Application Submittal Dates

Absentee ballots may be requested any time between 180 days prior to the election and the end of the business day on the Friday before Election Day. Under State law, ballots cannot be mailed to you on the day prior to Election Day. Please note that you should make your request early to allow enough time for the ballot to be mailed to you, voted, and be received back at the county registrar office before the close of polls on Election Day.

Receiving Your Absentee Ballot

Absentee ballots will be mailed:

Presidential Preference Primary	45 days prior to the election through the Friday before Election Day
General Primary	45 days prior to the election through the Friday before Election Day
General Election	45 days prior to the election through the Friday before Election Day
Special Election - Federal office	45 days prior to the election through the Friday before Election Day
Municipal General Primary	21 days prior to the election through the Friday before Election Day
Municipal General Election	21 days prior to the election through the Friday before Election Day
Special Election - Other	21 days prior to the election through the Friday before Election Day
Runoffs	As soon as possible

Voting Your Absentee Ballot

Follow the instructions that your county elections official provides with your ballot. You will receive all the forms and envelopes necessary for marking and return of the ballot. Failure to complete your ballot correctly could cause your ballot not to be counted.

If you registered by mail and did not submit a copy of one of the required forms of registration identification, you will receive notification with your ballot package. Copies of any ID's must be placed in the outer envelope. If you have any questions, please contact your county registrar.

Submitting a Voted Absentee Ballot

A ballot must be received by the county registrar no later than the close of polls on Election Day. Delivery can be either U.S. first class mail or hand delivered by the voter. If mailing, you must affix postage to the ballot envelope. Ballots received after the polls close cannot be counted.

Processing Your Voted Absentee Ballot

Once the absentee ballot is received by the county office, the registrar will compare your signature on your absentee ballot oath envelope to your signature on your voter registration card and your application for absentee ballots to verify your signature. If the signature on the absentee ballot oath envelope is missing or does not match the previous signatures, your county will contact you and provide a document whereby you can provide a signature and ID to verify your ballot.

ABSENTEE VOTING IN PERSON (ADVANCE VOTING)

Applying For Your Absentee Ballot and Voting

Voting any time prior to Election Day, even at a precinct, is absentee voting. You will complete an absentee ballot application in person at the early voting location immediately prior to casting your vote.

Photo Identification Required

You will need to provide proper photo identification anytime you vote in person. If you do not have photo identification when you go to vote, you will be allowed to vote a provisional ballot. You will be required to provide proper photo identification to the registrar within three days after Election Day for your ballot to count. For more information on Georgia's photo identification requirements, please visit

http://sos.ga.gov/index.php/elections/georgia_voter_identification_requirements2 or call the Secretary of State's Election Division at (404) 656-2871.

Advance Voting Will Be Available:

Presidential Preference Primary	4th Monday prior to election through the Friday before Election Day
General Primary	4th Monday prior to election through the Friday before Election Day
General Election	4th Monday prior to election through the Friday before Election Day
Special Election - Federal office	4th Monday prior to election through the Friday before Election Day
Municipal General Primary	4th Monday prior to election through the Friday before Election Day
Municipal General Election	4th Monday prior to election through the Friday before Election Day
Special Election - Other	4th Monday prior to election through the Friday before Election Day
Runoffs	As soon as possible

Early voting times and locations can be found for all elections on your personal voter information page at: www.mvp.sos.ga.gov.

Voting Your Ballot

After returning your paper absentee ballot or voting in-person during advance voting, you will be marked in the voter registration system as "voted" and your vote(s) will be tabulated on Election Day

ADDITIONAL QUESTIONS ABOUT ABSENTEE VOTING

If I lose the absentee ballot that was sent to me, can I get another one?

Yes; however, you must sign an affidavit affirming that you lost, destroyed, or did not receive the first absentee ballot. In this instance, another ballot will be issued. A new request is not required.

If I request an absentee ballot, can I change my mind and still vote at my regular polling place?

If the ballot has been voted and returned to and received by the board of registrars, then the absentee ballot shall be deemed to have been voted. No other ballot shall be issued.

If you still have the absentee ballot and give it to the poll manager of the precinct in which your name appears on the electors list, then the elector may vote a regular ballot.

If you have not received an absentee ballot, or if you have returned the absentee ballot, but the registrars have not received the ballot, you may cancel the absentee ballot by making a written request to have the ballot marked “cancelled.” The managers of your precinct shall permit you to vote in person at that precinct.

Canceled absentee ballots are handled in the same manner as those returned too late to be cast.

Can a third-party request an absentee ballot on my behalf?

A family member may request an absentee ballot on your behalf if you are residing temporarily out of the county or municipality or if you are a physically disabled voter residing within the county or municipality. The application for your absentee ballot may, upon satisfactory proof of relationship, be made by your mother, father, grandparent, aunt, uncle, sister, brother, spouse, son, daughter, niece, nephew, grandchild, son-in-law, daughter-in-law, mother-in-law, father-in-law, brother-in-law, or sister-in-law of the age of 18 or over. Relatives applying for absentee ballots for you must also sign an oath stating that facts in the application are true.

The absentee ballot will be mailed directly to you at the permanent mailing address on record at the registrar’s office or to a temporary out-of-county or out-of-municipality address. A voter with a physical disability or a voter that is in custody in a jail or a detention facility may have the ballot mailed to a different address within the county.

The application must be in writing and must contain the name and relationship of the person requesting the ballot, if other than yourself.

Can I give my voted absentee ballot to someone else to return for me?

It depends on how the ballot is returned.

A voted absentee ballot can be returned, by mail or in-person, by a family member as designated on O.C.G.A. 21-2-385(a) or by a person living in the same house as the absentee voter.

If the absentee voter is physically disabled, their voted absentee ballot may be returned by a family member or housemate (as described above) OR by the voter's caregiver, regardless of whether the caregiver resides with the voter.

Can I vote by absentee ballot if I am confined to the hospital?

In some counties, a voter who is confined to a hospital on a primary or election day can vote an absentee ballot that is delivered by a registrar or deputy registrar. The ballot must be voted, sealed properly, and returned to the deliverer. If the voter registered to vote for the first time in Georgia by mail and has not previously provided proper identification, the voter will be allowed to vote by provisional ballot if he or she fails to provide proper identification. Once the identification and registration of the voter have been verified, the vote will be officially recorded. Please contact your county elections official to inquire about absentee ballot delivery, if you are in the hospital.

Do I have to apply for an absentee ballot for each election if I have a physical disability or I am 65 or over?

If a physically disabled voter or voters 65 years or older makes a written request to receive an absentee ballot for the primary, primary runoff, election, and election runoff he or she will receive ballots without having to ask again by specifically stating such on the written request or absentee application. Physically disabled voters 65 years or older must submit separate absentee applications for all Special Elections.

Can I receive assistance with my absentee ballot application?

Yes, but the person providing the assistance must sign the application for the absentee ballot.

May an absentee application that is pre-printed or filled out in advance by a third party be accepted if signed by the elector?

There is no prohibition against a third party assisting in the completion of the application provided that the voter personally signs the application, affirming that the information is true and correct.

May absentee applications be accepted in bundle?

Yes. They can be returned by fax, by mail, or in person. There are no restrictions on who may take possession of and transmit or deliver an application for an absentee ballot, or how those applications are transmitted or delivered.

Some of the important points of which you need to be aware, if you distribute applications for absentee ballots include:

- The voter must personally affix his or her signature to the application.

- ✓ Voters who use an absentee ballot application provided by an individual or organization must attest to the truth and correctness of the content of the application and sign the application.

May any organization provide campaign materials along with an absentee application?

There are no restrictions against campaign materials being distributed along with the absentee applications.

May I create my own absentee ballot application for others to use?

Any person or entity, except an election superintendent or registrar, that creates an application for an absentee ballot form for an elector, other than the elector themselves, shall ensure that the absentee ballot form is substantially in the same form as the application for the absentee ballot form made available by the Secretary of State. Such person or entity shall also clearly disclose on the face of the application for an absentee ballot form that they created the application for an absentee ballot form. Any nonconforming application for an absentee ballot shall still be processed if it meets the legal requirements of O.C.G.A. 21-2-381(a).

PENALTIES FOR FRAUDULENT ABSENTEE VOTING ACTIVITY

- ✓ An individual who votes more than once in an election is guilty of a felony.
- ✓ It is a crime to do any electioneering, or otherwise attempt to influence a voter, at the time he or she is voting an absentee ballot.
- ✓ It is a crime to intimidate or use or threaten to use violence to interfere with anyone's lawful right to vote.
- ✓ It is a crime to pay or offer to pay a person any amount of money or to give a person anything of value in exchange for voting for a particular person or issue. Similarly, it is against the law to pay someone not to vote.
- ✓ It is a crime to violate the secrecy of the ballot, or otherwise tamper with ballots or the voting system.

RESOURCES

County and city election officials can be a valuable source for absentee voting materials and information. They can assist you in answering specific questions about the absentee ballot process and can provide information to ensure the application and ballot is correct.

County contact information can be found at: <http://sos.ga.gov/cgi-bin/countyregistrarsindex.asp>

Georgia Election Code can be found at: <http://www.lexisnexis.com/hottopics/gacode/default.asp>

State Election Board Rules can be found at:
http://sos.ga.gov/index.php/elections/state_election_board

Absentee Ballot Applications can be found at:
http://sos.ga.gov/index.php/Elections/absentee_voting_in_georgia

COMPLETING AN ABSENTEE BALLOT APPLICATION

Prior to submitting an absentee ballot application, a voter must be registered in the county in which the voter resides. Voter registration status and county registrar information can be found at: mvp.sos.ga.gov

- Enter the name of the county or municipality

- Election dates can be found at:
www.sos.ga.gov/elections

- Military or overseas voters, who are requesting Electronic Ballot Delivery, must provide an email address

- The following individuals may request multiple ballots with this single application:

- 65 years of age or older
- Physically Disabled
- Military (including a spouse or dependent residing with member)
- Overseas Citizens

Please check the appropriate qualification box when requesting multiple ballots.

- Military and overseas voters must also check this box when requesting Electronic Ballot Delivery.

- The application must be signed or marked by a voter.

- Anyone assisting a disabled or illiterate applicant must also sign in the appropriate section

- Family member must check the appropriate box and sign when completing an application on behalf of a relative who is either residing temporarily out of the county or who is physically disabled

COUNTY or MUNICIPALITY

APPLICATION FOR OFFICIAL ABSENTEE BALLOT

PLEASE PRINT (FAILURE TO FILL OUT THE FORM COMPLETELY COULD DELAY YOUR APPLICATION)

Date of Primary, Election, or Runoff: ____/____/20__

FOR PRIMARY ELECTIONS ONLY (please check one): ☐ DEMOCRATIC ☐ NON PARTISAN ☐ REPUBLICAN

APPLICATION DATE	DATE OF BIRTH	DAYTIME CONTACT NUMBER (optional)	EMAIL ADDRESS (required for Voter requesting electronic transmission)
____/____/____	____/____/____	(____) ____-____	____@____.____

NAME AS REGISTERED	LAST	FIRST	MIDDLE

ADDRESS AS REGISTERED	STREET #	CITY	ZIP CODE

☐ Mail the ballot to my temporary out-of-county address: (or alternate address for physically disabled voter).

STREET _____ CITY _____ STATE _____

Note: You must file a separate application for each election for which you are requesting an absentee ballot exceptions below for voters over the age of 65, disabled, or military or overseas citizens. You may file your application more than 180 days prior to the Date of the Election.

***EXCEPTIONS:**

If you meet the following criteria, you may choose to complete one application and receive a ballot for the General Primary Runoff (if any), General Election, and General Election Runoff (if any) by checking one of the following:

☐ E - Elderly - I am 65 years of age or older.

☐ D - Disabled - I have a physical disability.

☐ U - UOCAVA Voter - Member of armed forces or Merchant Marines of the United States, commissioned corps Health Service or the National Oceanic and Atmospheric Administration, spouse or dependent residing with or accompanying member, or a United States citizen residing overseas. My current status is (please mark one):

☐ MOS - Military Overseas ☐ MST - Military Stateside

☐ OST - Overseas Temporary Resident ☐ OSP - Overseas Permanent Resident (federal offices)

For UOCAVA Voters Only - I would like to receive my absentee ballots by electronic transmission ☐.

SIGNATURE OR MARK* OF VOTER - REQUIRED _____

Signature of person preparing application if voter is disabled or illiterate _____

You may apply on behalf of another person only in the following circumstances: In the case of a voter residing temporarily out of the county, application may be made by mother, father, grandparent, brother, sister, aunt, uncle, spouse, son, daughter, grandchild, son-in-law, daughter-in-law, mother-in-law, father-in-law or brother-in-law of the age of 18 or over upon completion of the following oath: I, the undersigned do swear (or affirm) that the above-named voter is (check one): ☐ residing temporarily out of the county or is a ☐ voter residing within the county and that the facts included in this application are true.

Voter Registration # _____

SIGNATURE AND RELATIONSHIP OF RELATIVE REQUESTING BALLOT - _____

OFFICE USE ONLY

DIST. COMBO _____	PRECINCT _____	I HEREBY CERTIFY THAT THE ABOVE NAMED VOTER <input type="checkbox"/> IS ELIGIBLE <input type="checkbox"/> IS NOT ELIGIBLE TO RECEIVE AN ABSENTEE BALLOT
APPLICATION RECEIVED DATE _____	ISS. DATE _____	
BALLOT # _____	CERTIFIED DATE _____	REASON FOR REJECTION: _____
REJECTION DATE _____	ID SHOWN: GADL _____ OTHER _____	

Ballot to be: Mailed ☐ Electronically Transmitted ☐

Delivered to voter in hospital by Registrar/Deputy Registrar ☐

Voted in office (Municipal Only) ☐

Registrar Signature _____

FORM #ABS-APP-18

DECLARATION OF MEGAN GORDON

My name is Megan Gordon and I am over the age of 18 and fully competent to make this declaration. Under penalty of perjury, I declare the following:

1. I am a registered Georgia voter and resident in DeKalb county.
2. I am a United States citizen and am over 18 years old. I have not been declared mentally incompetent by a judge, and I am not currently serving a sentence for a felony conviction.
3. Elections officials require voters to put postage stamps on mail-in absentee ballots and absentee ballot applications.
4. I am unwilling to put postage on mail-in absentee ballots and applications, because I do not feel like I should have to spend money to vote.
5. I also do not know how much postage to put on absentee ballots, because I do not have a stamp scale. Ballots change in size and weight depending on the election at issue.
6. As of this date, I only have two postage stamps. But even if I had plenty of postage stamps, I do not want to use postage that I have paid for out of my own pocket just to vote.
7. I do not want to vote in-person during the COVID-19 pandemic. If I have the virus, I do not want to endanger the lives of those around me, especially the elderly and those with chronic illness or compromised immunity. If I do not have

the virus, I do not want to catch it, increasing the risk of harm to others and to my own health as well.

8. While voters must use the mail to cast a mail-in absentee ballot, I understand that absentee ballot applications can be e-mailed (or faxed) if they are printed, signed, and scanned. The Secretary of State recently sent me (and other registered voters) a paper absentee ballot application. But if the Secretary of State does not send me an absentee voter application for the next election, I cannot e-mail it in because I do not have a printer or fax machine, so I can only mail it in and use a postage stamp.

9. I am experienced in voter engagement work and do that work currently, especially among lower-income populations.

10. Requiring voters to pay postage is a serious concern this year because many more Georgia voters are expected to vote absentee by mail this year in light of the pandemic.

11. I have learned the following from my experience in civic engagement. Many voters, especially lower-income voters, do not have postage stamps because people are increasingly relying on online transactions. Many people in rural areas and lower-income people do not have Internet access nor credit cards, making it impossible for them to purchase stamps online. Even if they could, they would be forced to spend around \$10 to buy a whole book of stamps because you cannot just

buy a single stamp. Many cannot afford this cost, especially since COVID-19 has so many people out of work. Voters can also buy stamps in-person at a post office or grocery store, but that needlessly exposes them to the deadly COVID-19 virus. Many voters do not have stamp scales (including myself). Only the few voters with stamp scales can know with any certainty how many stamps to put on their ballot.

12. Forcing voters to purchase their own postage complicates a procedure that is already confusing to many voters. Voter education becomes more difficult the more steps are required of voters.

13. Many voters like the elderly, those with physical disabilities, and out-of-town voters can only vote by mail, so it is extraordinarily difficult if not impossible for them to vote in person. Even for those who are able to vote in-person, taking time off work or child care to travel to a polling place can still be challenging.

14. I am willing to serve as a class representative for all mail-in absentee voters if need be. This issue is too important.

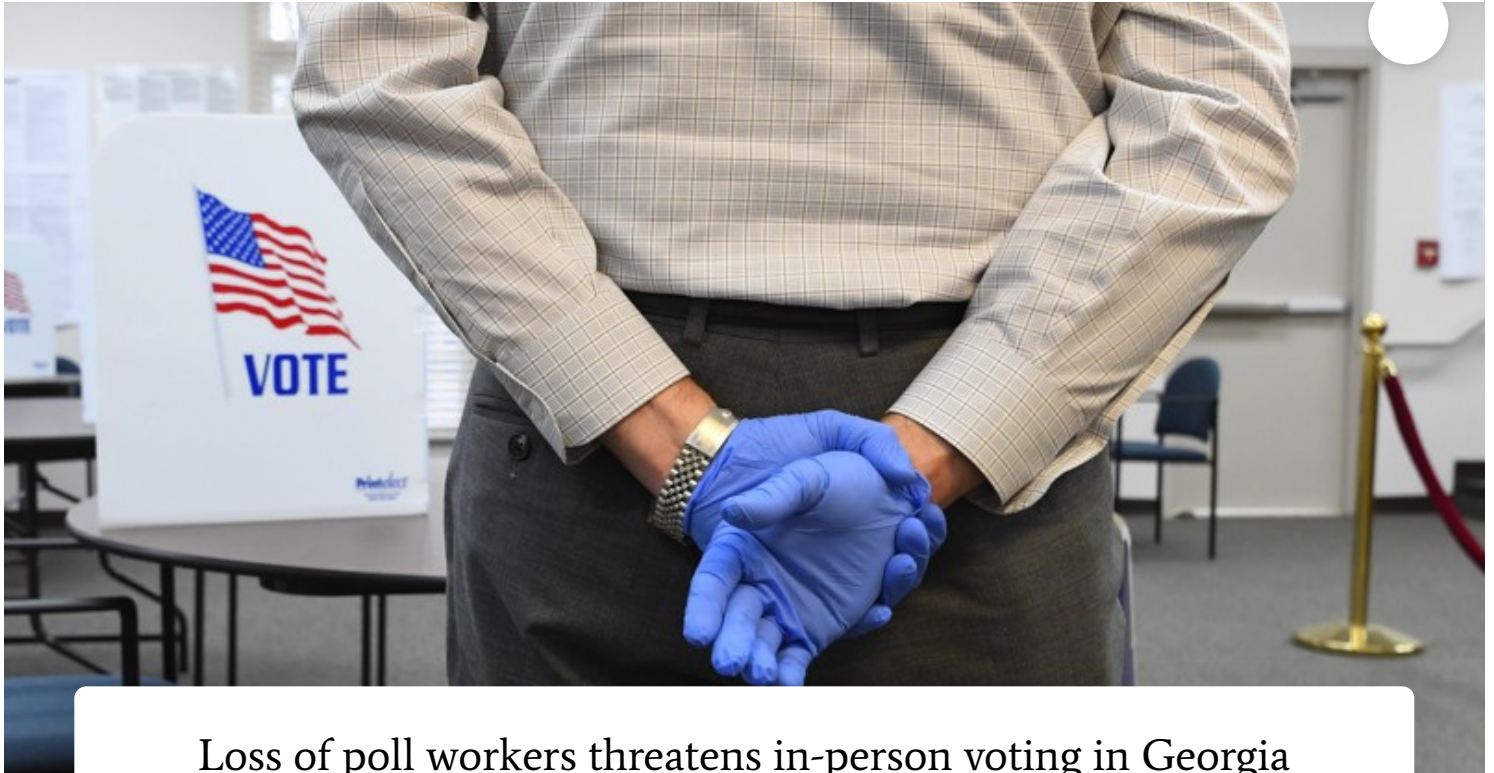
I declare under penalty of perjury that the forgoing is true and correct.

A handwritten signature in black ink, appearing to read 'Megan Gordon', written over a horizontal line.

Megan Gordon

04/07/2020

Date



Loss of poll workers threatens in-person voting in Georgia primary

POLITICS | 8 hours ago

By [Mark Niese](#), The Atlanta Journal-Constitution

Poll workers are quitting and precincts are closing across Georgia because of the coronavirus pandemic, dimming the outlook for in-person voting in the state's primary election.

The primary is still [scheduled](#) for May 19, but the situation is deteriorating, say several county election managers contacted by The Atlanta Journal-Constitution.

If the election moves ahead as planned, Georgia voters could be faced with long lines and limited options, similar to the situation that unfolded Tuesday in [Wisconsin's primary](#).

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polling place and were putting the minimum number of poll workers out there, it's going to be difficult for voters.”



Election officials are encouraging [voting by mail](#), and Secretary of State Brad Raffensperger sent absentee ballot request forms to the state's 6.9 million active voters.

Credible reporting in incredible times. Support local journalism.

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That will present a [health and safety dilemma](#) for poll workers, who on average are over 70 years old and more at-risk of falling ill to the coronavirus. In addition, voters would have to keep 6 feet apart from each other, and fewer than 10 people would be allowed in a room at once.

In Fulton, fewer than 500 people have committed to working the election, Barron said. Normally, the state's most populous county has more than 1,600 poll workers at 199 polling places.

Raffensperger said he's hearing concerns from county election officials, but he said he lacks the power under Georgia law to postpone the primary unless Gov. Brian Kemp declares another public health emergency that includes the election period. Kemp's current [state of emergency](#) expires Monday, and early voting is set to begin April 27.

A decision on whether to change the primary date may be growing near.

"Looking at the situation on the ground, then we'll be able to make a determination at that time" if Kemp extends the public health emergency, Raffensperger said Monday. "We're very mindful of what is happening throughout Georgia right now and the ability to have in-person voting."

Deidre Holden, the elections supervisor for Paulding County west of Atlanta, said she has lost about one-third of her 325 poll workers.

"We're in the planning of the war stage right now," Holden said. "We're so in need for people to fill these spots. We'll pretty much pay anybody who's willing to be a poll

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pay generally starting at \$120 for more than 12 hours of work. Senior poll workers make more money.

Election managers say they'll try to recruit new hires in the coming weeks, possibly from people who have been laid off. The state processed nearly 134,000 applications for unemployment insurance last week, more than 10 times the average.

But hiring poll workers will likely be difficult, election officials said. Many are unwilling to risk exposure to the coronavirus.

In Cobb County, few poll workers have quit so far, but that could quickly change, Elections Director Janine Eveler said.

"Most people are saying they are willing to work, but they need to know what it looks like closer to the election. Everything can change day to day," Eveler said. "As the coronavirus progresses in April and if we don't see that curve start to flatten, I am sure many of the at-risk poll workers will end up dropping as we get closer to the election."

Besides the loss of poll workers, churches and assisted living centers that usually serve as voting locations have shut their doors. Voters who usually cast their ballot at those precincts will be reassigned.

In Fulton, five assisted living centers and two churches are unwilling to serve as precincts. The county will also likely reduce its planned 21 early-voting sites.

DeKalb County election officials said they hope to keep their 11 early-voting locations, and the county is asking whether those locations are still available to host in-person

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precincts in Georgia, that's about 8,000 poll workers needed.

In Lowndes County, Elections Supervisory Deb Cox said she's lost about 40% of her poll workers but still has enough to staff the county's 11 precincts.

She has about 90 poll workers willing to work. Still, some of those precincts might be unavailable for the May election.

"Our commission chair just walked in and I asked if he wanted a job. He politely declined," Cox said. "At this point, I'm not overly concerned. It's something to consider."

Some areas haven't lost poll workers yet, including places like Chatham, Macon and Muscogee counties. Their elections directors said they haven't been hit as hard by the coronavirus.

"It would be nice if everything is business as usual. We'd be fools to say it is," said Russell Bridges, the elections supervisor for Chatham County, where just three of 700 poll workers have expressed concerns. "You plan the best you can for what you know you've got to do and hope for the best when you get there."

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Georgia primary endangered by loss of poll workers and precincts

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THE STATE OF GEORGIA

EXECUTIVE ORDER

BY THE GOVERNOR:

EXECUTIVE ORDER TO ENSURE A SAFE & HEALTHY GEORGIA

- WHEREAS:** On March 14, 2020, due to the impact of COVID-19 on the State of Georgia, I issued Executive Order No. 03.14.20.01, declaring a Public Health State of Emergency in Georgia; and
- WHEREAS:** The Georgia General Assembly concurred with Executive Order 03.14.20.01 by joint resolution on March 16, 2020; and
- WHEREAS:** The number of COVID-19 cases in Georgia continues to rise; and
- WHEREAS:** The Georgia Department of Public Health has determined that COVID-19 is spreading throughout communities, requiring the implementation of certain restrictions to limit the spread; and
- WHEREAS:** The Centers for Disease Control and Prevention has determined that older adults, people of any age who have serious underlying medical conditions, and certain other people groups may be at higher risk for more serious complications from COVID-19; and
- WHEREAS:** Code Section 38-3-51(c)(4) vests the Governor with the power to perform and exercise such other functions, powers, and duties as may be deemed necessary to promote and secure the safety and protection of the civilian population; and
- WHEREAS:** Code Section 38-3-51(d)(1) vests the Governor with the power to suspend any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules, or regulations of any state agency if strict compliance with any statute, order, rule, or regulation would in any way prevent, hinder, or delay necessary action in coping with the emergency or disaster; and
- WHEREAS:** Code Sections 31-2A-4 and 31-12-4 vests the Department of Public Health with the power to segregate and isolate certain individuals with certain communicable diseases or conditions when said

individuals' exposure to the general population is likely to endanger the health of others; and

WHEREAS: In consultation with the Governor's Coronavirus Task Force and health and emergency preparedness officials, I have determined that the following temporary actions are necessary and appropriate to protect the health, safety, and welfare of Georgia's residents and visitors.

NOW, THEREFORE, PURSUANT TO AFOREMENTIONED GEORGIA LAW AND THE AUTHORITY VESTED IN ME AS GOVERNOR OF THE STATE OF GEORGIA, IT IS HEREBY

ORDERED: All residents and visitors of the State of Georgia shall practice social distancing and sanitation in accordance with this Order and guidelines published by the Centers for Disease Control and Prevention.

IT IS FURTHER

ORDERED: No business, establishment, corporation, non-profit corporation, organization, or county or municipal government shall allow more than ten (10) persons to be gathered at a single location if such gathering requires persons to stand or to be seated within six (6) feet of any other person. This provision shall not apply to cohabitating persons outside of their homes, family units or roommates residing together in private homes, or entities defined as "Critical Infrastructure" by this Order.

IT IS FURTHER

ORDERED: That as used in this Order, the term "single location" shall be interpreted to mean a space where all persons gathered cannot maintain at least six (6) feet of distance between themselves and any other person. The term "single location" shall not include private residences.

IT IS FURTHER

ORDERED: That all residents and visitors of the State of Georgia are required to shelter in place within their homes or places of residence, meaning remaining in their place of residence and taking every possible precaution to limit social interaction to prevent the spread or infection of COVID-19 to themselves or any other person, unless they are:

1. Conducting or participating in Essential Services;

2. Performing Necessary Travel;
3. Are engaged in the performance of, or travel to and from, the performance of Minimum Basic Operations for a business, establishment, corporation, non-profit corporation, or organization not classified as Critical Infrastructure; or
4. Are part of the workforce for Critical Infrastructure and are actively engaged in the performance of, or travel to and from, their respective employment.

IT IS FURTHER

ORDERED: That Essential Services permitted pursuant to the provisions of this Order are limited to the following:

1. Obtaining necessary supplies and services for family or household members, such as food and supplies for household consumption and use, medical supplies or medication, supplies and equipment needed to work from home, and products needed to maintain safety, sanitation, and essential maintenance of the home or residence. Preference should be given to online ordering, home delivery, and curbside pick-up services wherever possible as opposed to in-store shopping.
2. Engaging in activities essential for the health and safety of family or household members, such as seeking medical, behavioral health, or emergency services.
3. Engaging in outdoor exercise activities so long as a minimum distance of six (6) feet is maintained during such activities between all persons who are not occupants of the same household or residence.

IT IS FURTHER

ORDERED: That Necessary Travel permitted under this Order is limited to such travel as is required to conduct or participate in Essential Services, Minimum Basic Operations, or Critical Infrastructure as defined by this Order.

IT IS FURTHER

ORDERED: That Minimum Basic Operations are limited to:

1. The minimum necessary activities to maintain the value of a business, establishment, corporation, non-profit corporation, or organization, provide services, manage inventory, ensure security, process payroll and employee benefits, or for related functions. Such minimum necessary activities include remaining open to the public subject to the restrictions of this Order.

2. The minimum necessary activities to facilitate employees or volunteers being able to work remotely from their residences or members or patrons being able to participate remotely from their residences.
3. Instances where employees are working outdoors without regular contact with other persons, such as delivery services, contractors, landscape businesses, and agricultural industry services.

IT IS FURTHER

ORDERED:

That all businesses, establishments, corporations, non-profit corporations, or organizations that are not Critical Infrastructure shall only engage in Minimum Basic Operations as defined in this Order during the effective dates of this Order. Such entities shall also implement measures which mitigate the exposure and spread of COVID-19 among its workforce. Such measures shall include the following:

1. Screening and evaluating workers who exhibit signs of illness, such as a fever over 100.4 degrees Fahrenheit, cough, or shortness of breath;
2. Requiring workers who exhibit signs of illness to not report to work or to seek medical attention;
3. Enhancing sanitation of the workplace as appropriate;
4. Requiring hand washing or sanitation by workers at appropriate places within the business location;
5. Providing personal protective equipment as available and appropriate to the function and location of the worker within the business location;
6. Prohibiting gatherings of workers during working hours;
7. Permitting workers to take breaks and meals outside, in their office or personal workspace, or in such other areas where proper social distancing is attainable;
8. Implementing teleworking for all possible workers;
9. Implementing staggered shifts for all possible workers;
10. Holding all meetings and conferences virtually, wherever possible;
11. Delivering intangible services remotely wherever possible;
12. Discouraging workers from using other workers' phones, desks, offices, or other work tools and equipment;
13. Prohibiting handshaking and other unnecessary person-to-person contact in the workplace;
14. Placing notices that encourage hand hygiene at the entrance to the workplace and in other workplace areas where they are likely to be seen;
15. Suspending the use of Personal Identification Number ("PIN") pads, PIN entry devices, electronic signature capture,

- and any other credit card receipt signature requirements to the extent such suspension is permitted by agreements with credit card companies and credit agencies;
16. Enforcing social distancing of non-cohabitating persons while present on such entity's leased or owned property;
 17. For retailers and service providers, providing for alternative points of sale outside of buildings, including curbside pick-up or delivery of products and/or services if an alternative point of sale is permitted under Georgia law;
 18. Increasing physical space between workers and customers;
 19. Providing disinfectant and sanitation products for workers to clean their workspace, equipment, and tools;
 20. Increasing physical space between workers' worksites to at least six (6) feet.

IT IS FURTHER

ORDERED:

The term "Critical Infrastructure" shall refer to businesses, establishments, corporations, non-profit corporations, and organizations as defined by the U.S. Department of Homeland Security as "essential critical infrastructure workforce," in guidance dated March 19, 2020, and revised on March 28, 2020, and those suppliers which provide essential goods and services to the critical infrastructure workforce as well as entities that provide legal services, home hospice, and non-profit corporations or non-profit organizations that offer food distribution or other health or mental health services. The operation of Critical Infrastructure shall not be impeded by county, municipal, or local ordinance.

Critical Infrastructure that continues in-person operation during the effective dates of this Order shall implement measures which mitigate the exposure and spread of COVID-19 among its workforce. Such measures may include, but shall not be limited to:

1. Screening and evaluating workers who exhibit signs of illness, such as a fever over 100.4 degrees Fahrenheit, cough, or shortness of breath;
2. Requiring workers who exhibit signs of illness to not report to work or to seek medical attention;
3. Enhancing sanitation of the workplace as appropriate;
4. Requiring hand washing or sanitation by workers at appropriate places within the business location;
5. Providing personal protective equipment as available and appropriate to the function and location of the worker within the business location;
6. Prohibiting gatherings of workers during working hours;

7. Permitting workers to take breaks and lunch outside, in their office or personal workspace, or in such other areas where proper social distancing is attainable;
8. Implementing teleworking for all possible workers;
9. Implementing staggered shifts for all possible workers;
10. Holding all meetings and conferences virtually, wherever possible;
11. Delivering intangible services remotely wherever possible;
12. Discouraging workers from using other workers' phones, desks, offices, or other work tools and equipment;
13. Providing disinfectant and sanitation products for workers to clean their workspace, equipment, and tools;
14. Prohibiting handshaking and other unnecessary person-to-person contact in the workplace; and
15. Placing notices that encourage hand hygiene at the entrance to the workplace and in other workplace areas where they are likely to be seen; and
16. Suspending the use of Personal Identification Number ("PIN") pads, PIN entry devices, electronic signature capture, and any other credit card receipt signature requirements to the extent such suspension is permitted by agreements with credit card companies and credit agencies.

IT IS FURTHER

ORDERED: That the Georgia Department of Economic Development is authorized to issue guidance to any business, corporation, organization, or industry trade group regarding its status as Critical Infrastructure. This guidance shall not require a finding of fact but shall be in writing and shall be considered a final agency action for the purpose of proceedings under Code Section 50-13-19.

IT IS FURTHER

ORDERED: All restaurants and private social clubs shall cease providing dine-in services. Takeout, curbside pick-up, and delivery are permitted in accordance with the provisions of this Order.

This provision shall not limit the operation of dine-in services in hospitals, healthcare facilities, nursing homes, or other long-term care facilities; however, to the extent possible, such facilities should offer in-room dining.

IT IS FURTHER

ORDERED: That all gyms, fitness centers, bowling alleys, theaters, live performance venues, operators of amusement rides as defined by

Code Section 25-15-51, body art studios permitted pursuant to Code Section 31-40-2, businesses registered pursuant to Code Sections 43-10-11 and 43-10-18, estheticians as defined by Code Section 43-10-1(8), hair designers as defined by Code Section 43-10-1(9), persons licensed to practice massage therapy pursuant to Code Section 43-24A-8, and businesses which possess a license to operate as or otherwise meet the definition of “bar” as defined by Code Section 3-1-2(2.1), shall cease in-person operations and shall close to the public while this Order is in effect.

IT IS FURTHER

ORDERED: That persons required to shelter in place under any provision of this Order shall not receive visitors, except as follows:

1. Visitors providing medical, behavioral health, or emergency services or medical supplies or medication, including home hospice;
2. Visitors providing support for the person to conduct activities of daily living or instrumental activities of daily living;
3. Visitors providing necessary supplies and services, such as food and supplies for household consumption and use, supplies and equipment needed to work from home, and products needed to maintain safety, sanitation, and essential maintenance of the home or residence; or
4. Visitors received during end-of-life circumstances.

To the extent practicable under the circumstances, visitors shall maintain a minimum distance of six (6) feet between themselves and all other occupants of the person’s home or residence. Any visitors visiting for the sole purpose of delivering medication, supplies, or other tangible goods shall, to the extent practicable, deliver such items in a manner that does not require in-person contact or require the deliverer to enter the person’s home or residence.

IT IS FURTHER

ORDERED: That the provisions of this Order related to visitors listed in the immediately preceding paragraph shall be strictly enforced against nursing homes or other long-term care facilities, including inpatient hospice, assisted living communities, personal care homes, intermediate care homes, community living arrangements, and community integration homes.

IT IS FURTHER

ORDERED: That an exception to any shelter-in-place requirement set forth hereunder applies in the event of an emergency. In such cases,

persons are encouraged to leave their homes or residences and shelter in place in accordance with the rules included in this Order at a safe alternate location. Persons experiencing homelessness are urged to obtain shelter and to contact governmental and other entities for assistance.

IT IS FURTHER

ORDERED: That the Department of Public Health, the Department of Public Safety, or any other state department or state officer deputized by the Governor or the Georgia Emergency Management and Homeland Security Agency are, after providing reasonable notice, authorized to mandate the closure of any business, establishment, corporation, non-profit corporation, or organization not in compliance with this Order for a period not to extend beyond the term of this Order.

IT IS FURTHER

ORDERED: That the Adjutant General of the Georgia National Guard and the Commissioner of the Department of Public Safety shall provide resources as requested to assist in the enforcement of this Order.

IT IS FURTHER

ORDERED: That pursuant to Code Section 38-3-51, the powers of counties and cities conveyed in Titles 36 and 38, including those specific powers enumerated in Code Sections 36-5-22.1 and 36-35-3 are hereby suspended to the extent of suspending enforcement of any local ordinance or order adopted or issued since March 1, 2020, with the stated purpose or effect of responding to a public health state of emergency, ordering residents to shelter-in-place, ordering a quarantine, or combatting the spread of coronavirus or COVID-19 that in any way conflicts, varies, or differs from the terms of this Order. Enforcement of all such ordinances and orders is hereby suspended and no county or municipality shall adopt any similar ordinance or order while this Order is in effect, except for such ordinances or orders as are designed to enforce compliance with this Order.

IT IS FURTHER

ORDERED: That if one or more of the provisions contained in this Order shall conflict with the provisions of any previous Executive Order or Agency Administrative Order, the provisions of this Order shall control. Further, in the event of any conflict, the provisions of any quarantine or isolation Order issued to a specific person by the Department of Public Health shall control.

IT IS FURTHER

ORDERED: That nothing in this Order shall be construed to suspend or limit the sale, dispensing, or transportation of firearms or ammunition, or any component thereof.

IT IS FURTHER

ORDERED: That pursuant to Code Section 38-3-7, any person who violates this Order shall be guilty of a misdemeanor. Officials enforcing this Order should take reasonable steps to provide notice prior to issuing a citation or making an arrest.

IT IS FURTHER

ORDERED: This Order rescinds and replaces Executive Order 03.23.20.01.

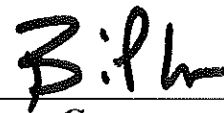
IT IS FURTHER

ORDERED: That if one or more of the provisions contained in this Order shall be held to be invalid, in violation of the Georgia Constitution, in violation of Georgia law, or unenforceable in any respect, such invalidity, violation, or unenforceability shall not affect any other provisions of this Order, but, in such case, this Order shall be construed as if such invalid, illegal, or unenforceable provision had never been contained within the Order.

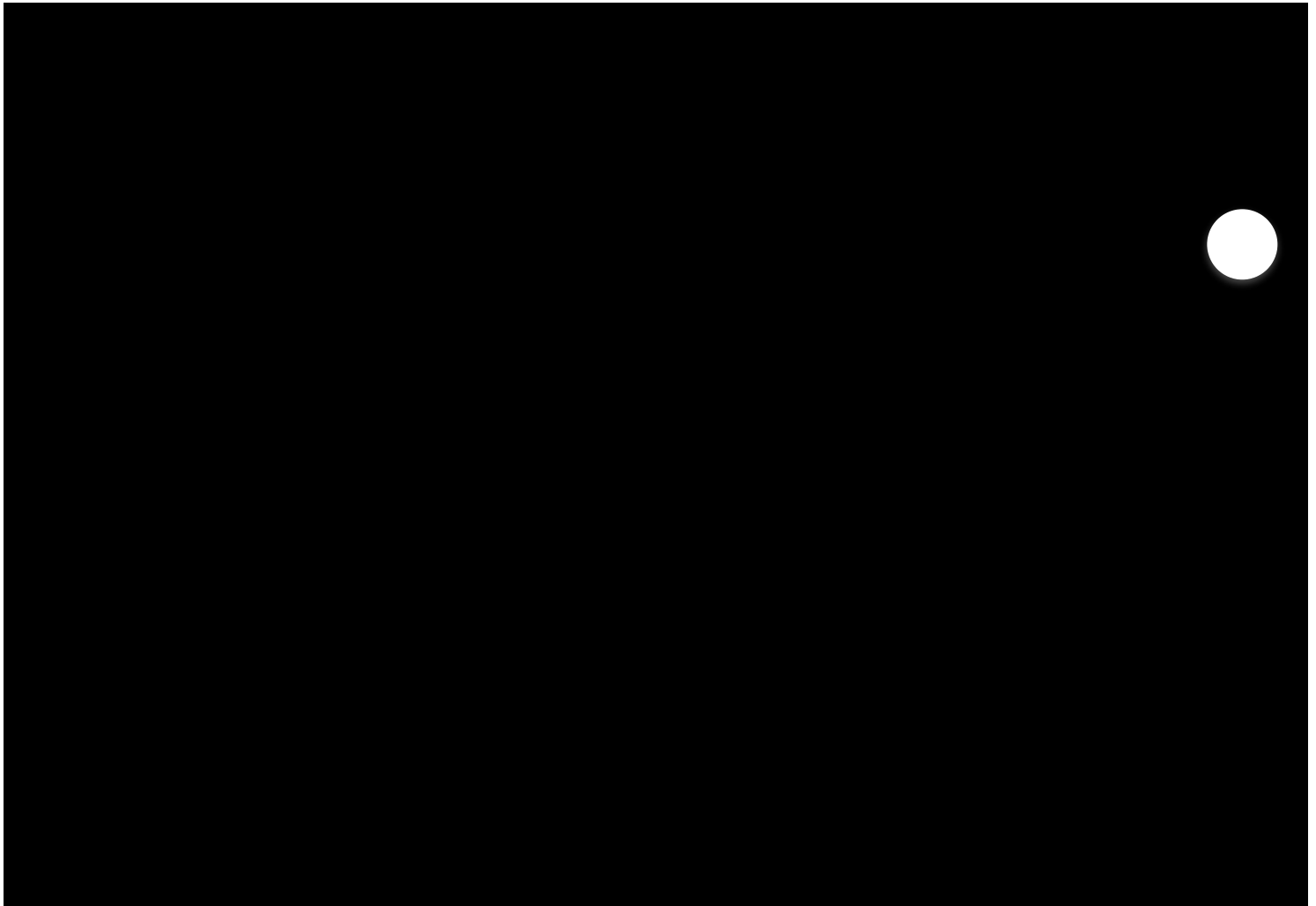
IT IS FURTHER

ORDERED: All provisions of the Order shall become effective for a period beginning at 6:00 P.M. on Friday, April 3, 2020, and expiring at 11:59 P.M. on Monday, April 13, 2020.

This 2nd day of April 2020, at 3:12 P.M.



GOVERNOR



NEW DETAILS: President Trump extends guidelines through April 30

CONTINUING COVERAGE: CORONAVIRUS | March 29, 2020

By The Associated Press

Earlier Sunday, Fauci predicted 100,000 to 200,000 deaths in US

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Olivier Knox
@OKnox

Trump announces that the federal social-distancing and mitigation guidelines, which faced a renew/end date tomorrow, will be extended to April 30th.

68 6:11 PM - Mar 29, 2020

[48 people are talking about this](#)

The initial 15-day period of social distancing urged by the federal government expires Monday, and Trump had expressed interest in relaxing the national guidelines at least in parts of the country less afflicted by the pandemic. But instead he decided to extend them through April 30, a tacit acknowledgment he'd been too optimistic. Many states and local governments have stiffer controls in place on mobility and gatherings.

»**COMPLETE COVERAGE: Everything you need to know about coronavirus**

At the coronavirus task force news briefing Sunday night at the White House, the president said more details about the federal social distancing and mitigation guidelines will be released Tuesday night.

Trump also said Abbott Labs will begin providing 50,000 tests each day for the coronavirus. The president said the tests, which he said have been approved by the FDA, will provide results in about five minutes.

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hospital beds at the Javits Center in New York. The president said the project was completed in fewer than four days. He said other hospitals are planned in Louisiana, New Jersey and other states.

The president also said he is “working on” getting FDA approval for a system that sterilizes masks up to 20 times because health care workers say they have reused masks amid the pandemic, according to reporter Yamiche Alcindor.



Yamiche Alcindor

@Yamiche

President Trump says he is working on getting a system that sterilizes masks up to 20 times approved by the FDA.

Healthcare workers have said they have had to reuse masks while treating coronavirus patients and have said that's dangerous.

1,306 5:51 PM - Mar 29, 2020

[481 people are talking about this](#)

Trump also said reporters should “look into” where hospital masks in New York are going. He suggested some might be “going out the back door” during the crisis, according to reporter Steve Herman.



Steve Herman @W7VOA · Mar 29, 2020

Replying to @W7VOA

Some masks can be sterilized "up to 20 times," says [@POTUS](#).



Steve Herman

@W7VOA

"Something's going on and you ought to look into it as reporters," says [@POTUS](#) about the surge in demand by NYC

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61 5:57 PM - Mar 29, 2020

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Earlier Sunday, the government's foremost infectious disease expert said the country could experience more than 100,000 deaths and millions of infections from the coronavirus pandemic.

Dr. Anthony Fauci, speaking on CNN's "State of the Union," offered his prognosis as the federal government weighs rolling back guidelines on social distancing in areas that have not been as hard-hit by the outbreak at the conclusion of the nationwide 15-day effort to slow the spread of the virus.

"I would say between 100,000 and 200,000 cases," he said, correcting himself to say he meant deaths. "We're going to have millions of cases." But he added, "I don't want to be held to that" because the pandemic is "such a moving target."

Trump, who has largely avoided talk of potential death and infection rates, cited projection models that said potentially 2.2 million or more could have died had the country not put social distancing measures in place. And he said the country would be doing well if it "can hold" the number of deaths "down to 100,000."

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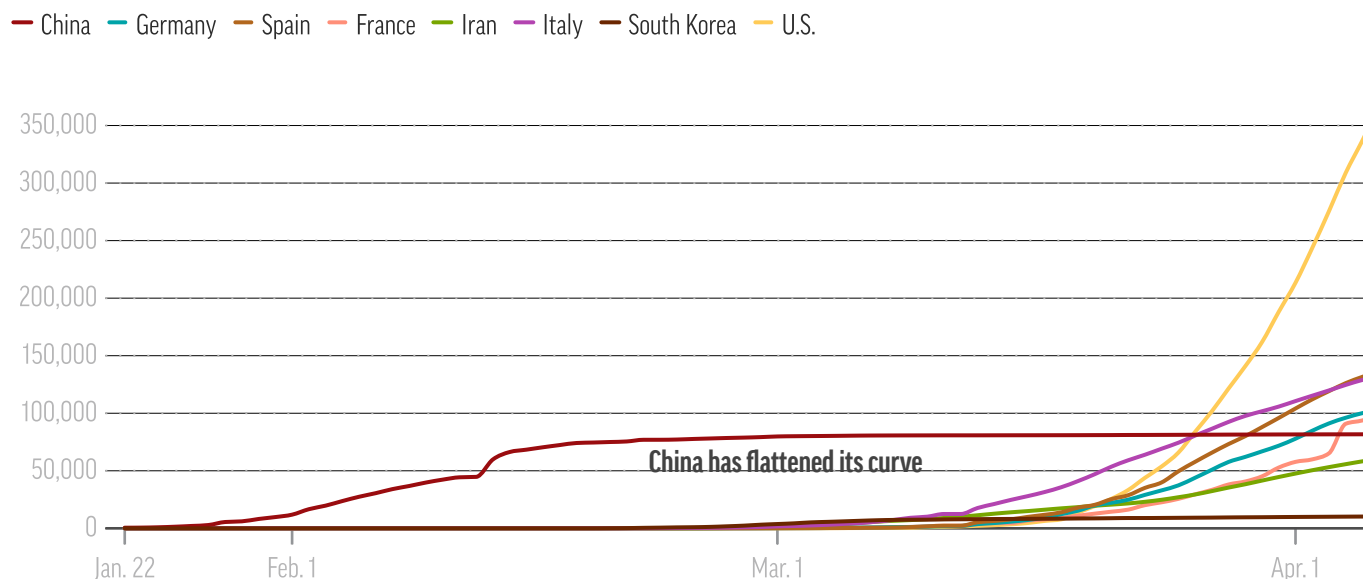


Chart updates at 8 p.m. Figures are as reported by governments and health authorities.

Source: Johns Hopkins / Graphic: Phil Holm & Nicky Forster

AP

“It’s a horrible number,” Trump said, but added: “We all together have done a very good job.”

Brought forward by Trump at the outdoor briefing Sunday evening, Fauci said his projection of a potential 100,000 to 200,000 deaths is “entirely conceivable” if not enough is done to mitigate the crisis. He said that helped shape the extension of the guidelines, “a wise and prudent decision.”

About 125,000 cases of COVID-19 in the U.S. [had been recorded](#) as of Sunday morning, with about 2,200 dead. It is certain that many more have the disease but their cases have not been reported.

One in three Americans remain under state or local government orders to stay at home to slow the spread of the virus, with schools and businesses closed and public life upended.

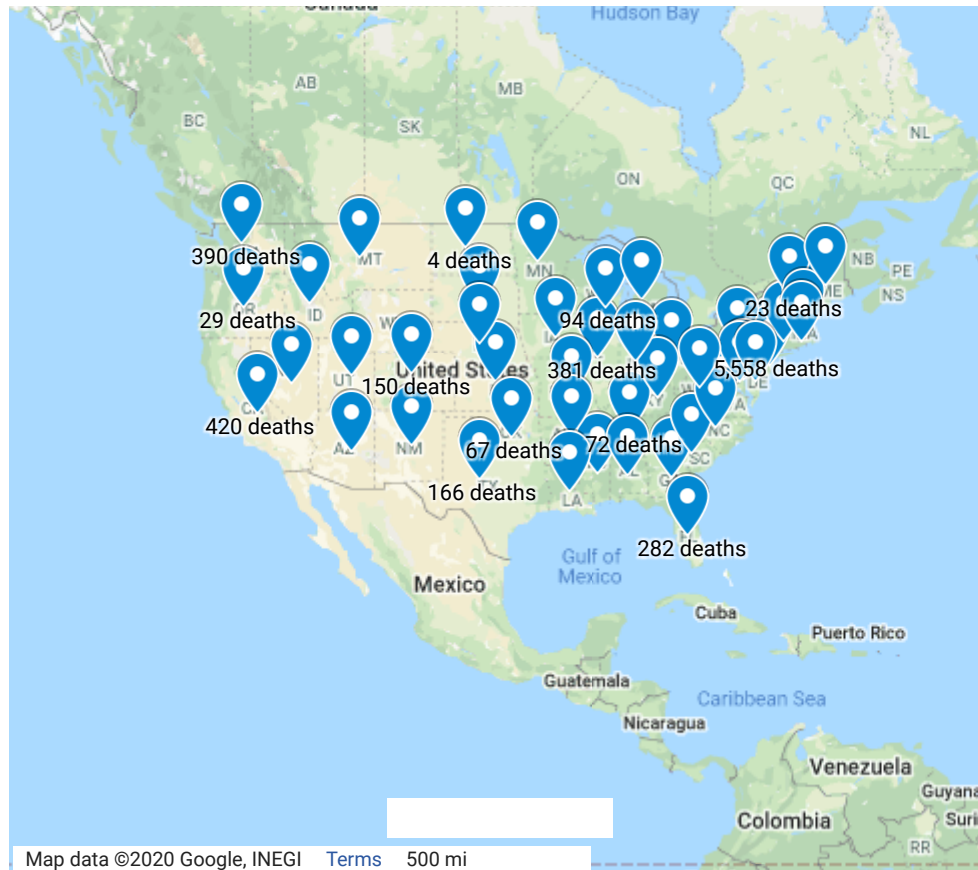
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area, will be spared, she said on NBC's "Meet the Press."

Coronavirus deaths in the U.S. ☆



Fauci said he would only support the rollback in lesser-impacted areas if more testing is in place to monitor those areas. He said “it’s a little iffy there” now.

Most people who contract COVID-19 have mild or moderate symptoms, which can include fever and cough but also milder cases of pneumonia, sometimes requiring hospitalization. The risk of death is greater for older adults and people with other health problems. Hospitals in the most afflicted areas are straining to handle patients, and some are short of critical supplies.

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heavily affected urban areas.

On Saturday, Trump was discussing tightening restrictions, suggesting then backing away from an “enforceable” quarantine of hard-hit New York, Connecticut and New Jersey. Instead, the White House task force recommended a travel advisory for residents of those states to limit non-essential travel to slow the spread of the virus to other parts of the U.S.

House Speaker Nancy Pelosi suggested that Trump shouldn’t be so quick to reverse the social distancing guidelines, saying more testing needs to be in place to determine whether areas currently showing fewer infections are truly at lower risk.

Trump’s “denial” in the crisis was “deadly,” she told CNN.

“As the president fiddles, people are dying, and we have to take every precaution,” she said. She promised a congressional investigation once the pandemic is over to determine whether Trump heeded advice from scientific experts and to answer the question that resonates through U.S. political scandals: “What did he know and when did he know it?”

Trump played down the severity of the pandemic for weeks. Asked whether she is saying that attitude cost American lives, Pelosi said: “Yes, I am. I’m saying that.”

It put Pelosi out of lockstep with former Vice President Joe Biden, the likely Democratic presidential nominee, who said he wouldn’t go so far as to lay the blame for deaths on the president. “I think that’s a little too harsh,” he told NBC.

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medical supplies — and for making erratic statements about the pandemic.

“He should stop thinking out loud and start thinking deeply,” Biden said.

Meanwhile, governors in other hotspots across the country were raising alarm that the spread of the virus was threatening their health care systems.

“We remain on a trajectory, really, to overwhelm our capacity to deliver health care,” Louisiana Gov. John Bel Edwards said on ABC’s “This Week.” “By the end of the first week in April, we think the first real issue is going to be ventilators. And we think it’s about the fourth or fifth of April before, down in the New Orleans area, we’re unable to put people on ventilators who need them. And then several days later, we will be out of beds.”

He said officials have orders out for more than 12,000 ventilators through the national stockpile and private vendors, but so far have only been able to get 192.

Around the world, doctors were forced to make tough choices about which patients to save with their limited breathing machines, and Spain and Italy demanded more European help as they fight still-surging coronavirus infections in the continent’s worst crisis since World War II.

The confirmed global death toll surpassed 31,000, and new virus epicenters emerged in U.S. cities including Detroit, New Orleans and Chicago. Even rural America has not been immune, as virus hotspots erupt in [Midwestern towns](#) and Rocky Mountain ski havens.

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Experts say, however, that virus toll numbers across the world are being seriously underrepresented because of limited testing and political decisions about which bodies to count. Unlike the U.S., France and Italy do not count deaths that take place at home or in nursing homes, even though nursing homes are known coronavirus incubators around the world.

“Europe must demonstrate that it is able to respond to this historic call,” Italian Premier Giuseppe Conte said late Saturday. “I will fight until the last drop of sweat, until the last gram of energy, to obtain a strong, vigorous, cohesive European response.”



Photo: Eugene Hoshiko/Associated Press

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Control and Prevention issued a travel advisory urging all residents of New York City and others in New York state, New Jersey and Connecticut to avoid all nonessential travel for 14 days.

Shocking as that is for Americans, that stopped short of the restrictions imposed in Europe or elsewhere. Parisians are fined if they try to leave the city, South Africans can't even buy liquor, and Serbians are upset about a ban on walking their dog. In Italy, burials are being held with only one family member.

»**MORE: City under siege: Coronavirus exacts heavy toll in Albany**

Spain moved to tighten its lockdown and ban all nonessential work Sunday as it hit another daily record of 838 dead. The country's overall official toll was more than 6,500.

Spain's health emergencies chief, Fernando Simón, said the country's infection rate fell Sunday to 9%, down from 18% three days before. But he said the number of people in intensive care units keeps rising and hospitals are at their limits in several regions.

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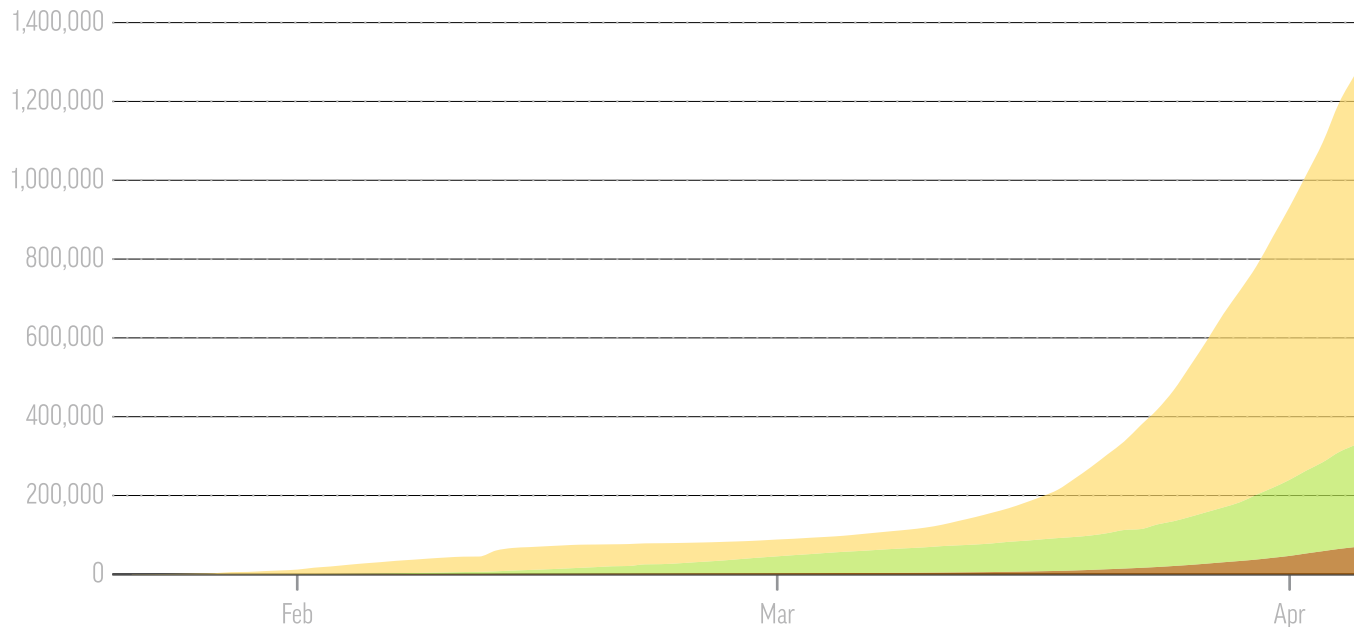
Photo: Olmo Calvo/Associated Press

“That is why we have to strictly apply the control measures,” he said.

The crisis is pummeling world economies and putting huge strains on national health care systems. Spanish Prime Minister Pedro Sanchez called for a more vigorous response from the 27-nation European Union.

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Source: Johns Hopkins & Datawrapper / Graphic: Phil Holm

AP

“It is the most difficult moment for the EU since its foundation, and it has to be ready to rise to the challenge,” he said.

Spain, Italy, France and six other EU members have asked the union to share the burden by issuing European debt, dubbed coronabonds, to help fight the virus. But the idea has met resistance from Germany and the Netherlands.

European countries have also resisted sharing masks with their neighbors for fear that they, too, will need them in mass quantities soon. Many countries have turned to China, where the outbreak is easing, flying in cargo planes to get protective medical equipment.

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Photo: Olmo Calvo/Associated Press

These tensions have raised new fears about whether the EU will survive this crisis.

“It’s really, really important that we achieve better coordination,” German Finance Minister Olaf Scholz said.

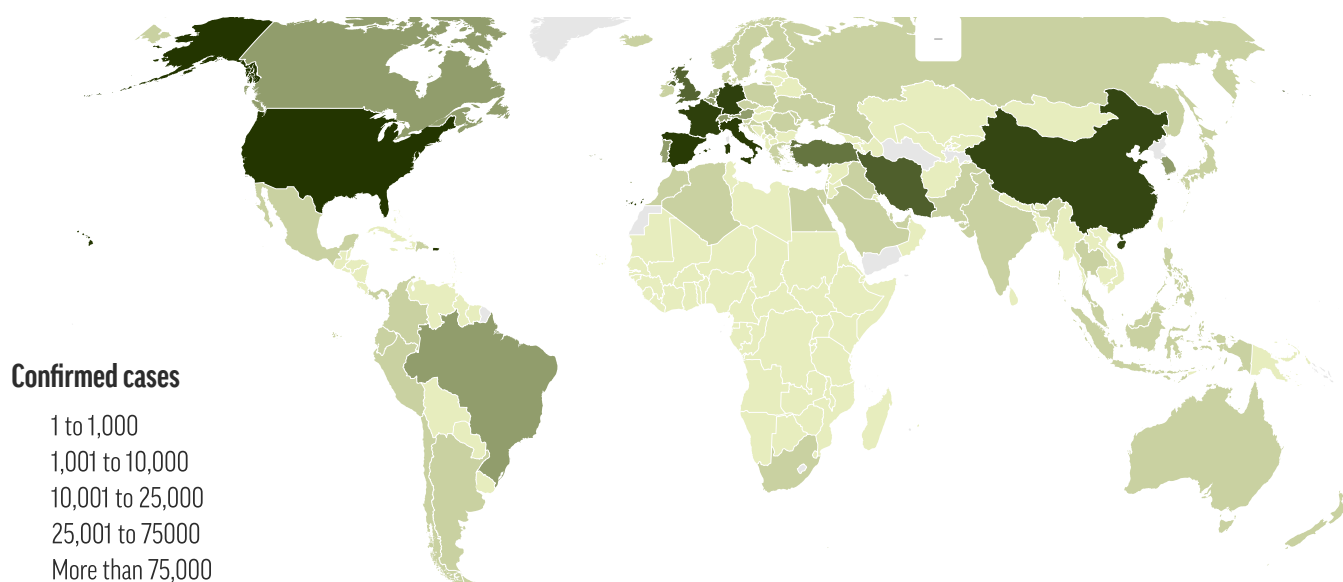
Worldwide infections surpassed 680,000, according to a tally by Johns Hopkins University. The United States leads the world with about 125,000 reported cases, but five other countries have higher death tolls: Italy, Spain, China, Iran and France.

Italy has more than 10,000 deaths, the most of any country.

Egypt shut its beaches as cases in the Mideast surpassed 50,000. Police in the Philippines stepped up arrests of quarantine violators, and more tourists were evacuated from Mount Everest and the Indonesian island of Bali.

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Map updates hourly. Figures are as reported by governments and health authorities.

Source: Esri; Johns Hopkins / Graphic: Phil Holm & Nicky Forster

AP

Poland is considering delaying its May 10 presidential election, and Russia ordered borders to close Monday. A prominent French politician with the virus died, France's first death of a senior official.

British Prime Minister Boris Johnson, who has the virus himself, warned: "Things will get worse before they get better."

For most people, the coronavirus causes mild or moderate symptoms, such as fever and cough that clear up in two to three weeks. But for others, especially older adults and people with existing health problems, the virus can cause more severe illness, including pneumonia, and lead to death.

More than 145,000 people have recovered, according to Johns Hopkins.

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or those in nursing homes, military barracks and jails.

In Detroit, which has a large low-income population, the death toll rose to 31 with about 1,400 infections in a rate that shocked health officials.

“This is off the charts,” said Dr. Teena Chopra, medical director of infection prevention and hospital epidemiology at the Detroit Medical Center. “We are seeing a lot of patients that are presenting to us with severe disease, rather than minor disease.”

Some U.S. states began to try to limit exposure from visitors from harder-hit areas. Rhode Island National Guard troops were going door to door in coastal communities to find New Yorkers. Florida is setting up checkpoints to screen visitors from Louisiana.

»Sign up for our new coronavirus newsletter

As others tightened controls, China eased more restrictions, following the ruling Communist Party’s declaration of victory against the coronavirus. Airline flights from Hubei province at the center of the coronavirus outbreak resumed Sunday. Subway and bus service resumed Saturday in the province’s hard-hit capital of Wuhan.

Rich Barak of The Atlanta Journal-Constitution contributed to this report.

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AJC

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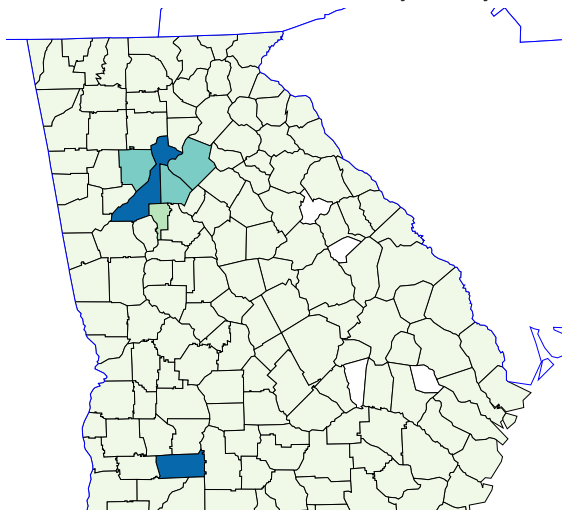
Georgia Department of Public Health COVID-19 Daily Status Report

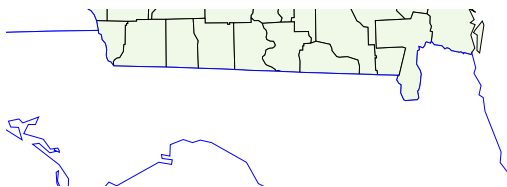


Georgia Department
of Public Health
COVID-19 Daily
Status Report For:
04/07/2020

These data represent confirmed cases of COVID-19 reported to the Georgia Department of Public Health as of 04/07/2020 18:28:13. A confirmed case is defined as a person who has tested positive for 2019 novel coronavirus.

COVID-19 Confirmed Cases by County





Count of COVID-19 Confirmed Cases *Based on patient
county of residence when known

0 1 - 237 238 - 474 475 - 711 712 - 948 949 - 1185

COVID-19 Confirmed Cases:	No. Cases (%)
Total	9156 (100%)
Hospitalized	1899(20.74%)
Deaths	348 (3.8%)

COVID-19 Confirmed Cases By County:	No. Cases	No. Deaths
Fulton	1185	39
Dougherty	973	56
Dekalb	673	11
Cobb	566	29
Gwinnett	540	13
Clayton	278	10
Hall	215	0
Henry	208	3
Lee	204	15
Bartow	191	12
Carroll	183	4
Sumter	162	6
Cherokee	147	6
Chatham	120	4
Douglas	117	5
Mitchell	100	11
Forsyth	99	1
Early	96	5
Floyd	92	3
Terrell	92	9
Rockdale	86	2
Houston	85	6
Randolph	83	4
Fayette	81	4
Coweta	80	2
Clarke	78	9
Richmond	75	3
Colquitt	70	5
Newton	67	3

Paulding	62	1
Worth	60	3
Muscogee	54	1
Spalding	54	4
Troup	47	3
Bibb	46	1
Columbia	46	0
Crisp	46	0
Lowndes	45	1
Tift	45	1
Barrow	42	3
Thomas	42	2
Coffee	41	2
Ware	37	3
Oconee	33	1
Pierce	32	1
Calhoun	31	1
Glynn	30	0
Upson	29	0
Baldwin	27	1
Dooly	27	1
Bryan	26	2
Gordon	25	3
Walton	25	2
Laurens	24	0
Greene	23	1
Jackson	23	0
Decatur	21	0
Whitfield	21	2
Dawson	20	1
Meriwether	20	0
Peach	20	2
Polk	20	0
Turner	19	0
Butts	18	0
Effingham	18	1
Camden	17	0
Haralson	17	0
Mcduffie	16	2
Burke	15	0
Lamar	15	0
Liberty	13	0
Monroe	13	1
Seminole	13	0
Stephens	13	0
Washington	13	0
Clay	12	1

Harris	12	0
Bacon	11	0
Miller	11	0
Murray	11	0
Baker	10	2
Bulloch	10	0
Fannin	10	0
Macon	10	0
Morgan	10	0
Pickens	10	2
Pike	10	0
Schley	10	1
White	10	0
Irwin	9	0
Lumpkin	9	0
Madison	9	1
Dodge	8	0
Pulaski	8	0
Talbot	8	1
Toombs	8	1
Catoosa	7	0
Habersham	7	0
Jenkins	7	0
Jones	7	0
Appling	6	0
Ben Hill	6	0
Brooks	6	0
Grady	6	0
Jasper	6	0
Johnson	6	0
Lincoln	6	0
Warren	6	0
Brantley	5	1
Lanier	5	0
Putnam	5	0
Rabun	5	0
Wilkes	5	0
Atkinson	4	0
Banks	4	0
Berrien	4	0
Candler	4	0
Chattooga	4	1
Cook	4	0
Jefferson	4	0
Marion	4	0
Quitman	4	0
Screven	4	0
Stewart	4	0

Taylor	4	1
Telfair	4	0
Union	4	0
Walker	4	0
Webster	4	0
Charlton	3	0
Clinch	3	0
Emanuel	3	0
Franklin	3	0
Gilmer	3	0
Hart	3	0
Heard	3	1
Mcintosh	3	0
Tattnall	3	0
Wayne	3	0
Wilkinson	3	0
Chattahoochee	2	0
Elbert	2	0
Oglethorpe	2	1
Towns	2	0
Twiggs	2	0
Wilcox	2	0
Bleckley	1	0
Crawford	1	0
Dade	1	1
Echols	1	0
Hancock	1	0
Jeff Davis	1	0
Long	1	0
Treutlen	1	0
Wheeler	1	0
Unknown	441	6
*Based on patient county of residence when known		

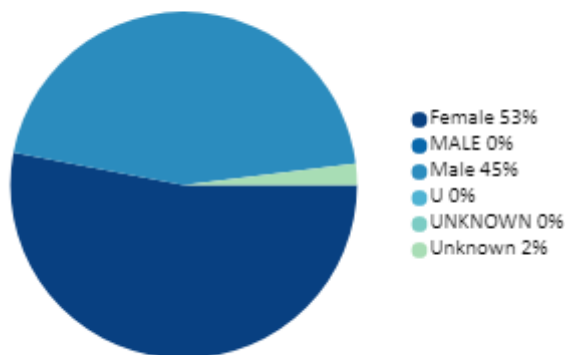
COVID-19 Testing By Lab Type:	No. Pos. Tests	Total Tests
Commercial Lab	8674	31065
Gphl	482	2720

COVID-19 Confirmed Cases by Age Group





COVID-19 Confirmed Cases by Sex



COVID-19 Deaths in Georgia

Age	Gender	County	Underlying
65	FEMALE	BAKER	Unk
95	MALE	BAKER	Unk
53	MALE	BALDWIN	Yes
66	MALE	BARROW	Yes
64	MALE	BARROW	Yes
91	FEMALE	BARROW	Yes
90	FEMALE	BARTOW	Yes
90	MALE	BARTOW	Yes
88	MALE	BARTOW	Yes
87	FEMALE	BARTOW	Yes
78	MALE	BARTOW	Yes
72	MALE	BARTOW	Yes
90	MALE	BARTOW	Yes
56	MALE	BARTOW	Yes
69	MALE	BARTOW	Yes
93	MALE	BARTOW	Unk
71	FEMALE	BARTOW	Unk

85	MALE	BARTOW	Yes
96	FEMALE	BIBB	Yes
79	FEMALE	BRANTLEY	Yes
63	MALE	BRYAN	Yes
65	MALE	BRYAN	Unk
59	FEMALE	CALHOUN	Unk
80	MALE	CARROLL	Unk
64	MALE	CARROLL	Unk
71	FEMALE	CARROLL	Unk
86	MALE	CARROLL	Unk
37	MALE	CHATHAM	Unk
83	MALE	CHATHAM	Yes
84	FEMALE	CHATHAM	Yes
80	FEMALE	CHATHAM	Yes
82	MALE	CHATTOOGA	Yes
78	FEMALE	CHEROKEE	Yes
67	FEMALE	CHEROKEE	Yes
94	FEMALE	CHEROKEE	Yes
81	MALE	CHEROKEE	Yes
90	MALE	CHEROKEE	Yes
78	FEMALE	CHEROKEE	Yes
65	FEMALE	CLARKE	Unk
89	FEMALE	CLARKE	No
79	MALE	CLARKE	Yes
78	FEMALE	CLARKE	Yes
78	FEMALE	CLARKE	Unk
79	MALE	CLARKE	Yes
60	MALE	CLARKE	Yes
68	MALE	CLARKE	Unk
98	MALE	CLARKE	Yes
65	MALE	CLAY	Unk
49	FEMALE	CLAYTON	Unk
64	MALE	CLAYTON	Unk
83	FEMALE	CLAYTON	Yes
67	MALE	CLAYTON	Unk
47	MALE	CLAYTON	Yes
69	MALE	CLAYTON	Yes
50	MALE	CLAYTON	Yes
89	MALE	CLAYTON	Unk
56	MALE	CLAYTON	Unk
82	MALE	CLAYTON	Yes
65	MALE	COBB	Yes
71	MALE	COBB	Yes
75	FEMALE	COBB	Yes
67	MALE	COBB	No
75	MALE	COBB	Yes
67	FEMALE	COBB	Yes
67	MALE	COBB	Yes

77	MALE	COBB	Yes
85	FEMALE	COBB	Yes
87	FEMALE	COBB	Yes
56	MALE	COBB	No
82	MALE	COBB	Yes
76	MALE	COBB	Yes
66	MALE	COBB	Yes
86	MALE	COBB	Unk
87	MALE	COBB	Yes
97	MALE	COBB	No
68	MALE	COBB	Yes
82	MALE	COBB	Unk
36	MALE	COBB	Yes
82	FEMALE	COBB	No
63	FEMALE	COBB	Yes
71	MALE	COBB	Yes
95	FEMALE	COBB	Yes
93	MALE	COBB	Yes
33	MALE	COBB	Yes
81	FEMALE	COBB	Unk
75	MALE	COBB	Unk
51	MALE	COBB	Yes
66	MALE	COFFEE	Unk
64	MALE	COFFEE	Yes
51	MALE	COLQUITT	Unk
76	FEMALE	COLQUITT	Unk
83	FEMALE	COLQUITT	Unk
53	MALE	COLQUITT	Yes
81	MALE	COLQUITT	Unk
42	FEMALE	COWETA	Yes
77	MALE	COWETA	Yes
79	FEMALE	DADE	Yes
80	MALE	DAWSON	Unk
91	FEMALE	DEKALB	Yes
69	MALE	DEKALB	Yes
65	FEMALE	DEKALB	Yes
81	MALE	DEKALB	Yes
31	MALE	DEKALB	Yes
70	MALE	DEKALB	Unk
89	FEMALE	DEKALB	Yes
84	FEMALE	DEKALB	Unk
88	FEMALE	DEKALB	Yes
75	MALE	DEKALB	Yes
91	MALE	DEKALB	Yes
67	MALE	DOOLY	No
62	MALE	DOUGHERTY	Yes
48	MALE	DOUGHERTY	Unk

64	FEMALE	DOUGHERTY	Unk
86	FEMALE	DOUGHERTY	Unk
65	MALE	DOUGHERTY	Yes
45	FEMALE	DOUGHERTY	Yes
82	FEMALE	DOUGHERTY	Unk
69	MALE	DOUGHERTY	Unk
63	MALE	DOUGHERTY	Yes
84	MALE	DOUGHERTY	Unk
66	MALE	DOUGHERTY	Yes
66	FEMALE	DOUGHERTY	Yes
68	FEMALE	DOUGHERTY	Unk
68	MALE	DOUGHERTY	Unk
65	FEMALE	DOUGHERTY	Yes
71	MALE	DOUGHERTY	Yes
92	FEMALE	DOUGHERTY	Yes
92	FEMALE	DOUGHERTY	Unk
61	FEMALE	DOUGHERTY	Yes
69	FEMALE	DOUGHERTY	Yes
43	FEMALE	DOUGHERTY	Yes
79	MALE	DOUGHERTY	Yes
34	MALE	DOUGHERTY	Yes
42	FEMALE	DOUGHERTY	Yes
66	FEMALE	DOUGHERTY	Yes
78	MALE	DOUGHERTY	Unk
67	FEMALE	DOUGHERTY	Unk
60	FEMALE	DOUGHERTY	Unk
53	FEMALE	DOUGHERTY	Yes
87	FEMALE	DOUGHERTY	Unk
85	FEMALE	DOUGHERTY	Unk
98	FEMALE	DOUGHERTY	Unk
77	MALE	DOUGHERTY	Unk
91	MALE	DOUGHERTY	Unk
78	MALE	DOUGHERTY	Unk
81	FEMALE	DOUGHERTY	Unk
75	MALE	DOUGHERTY	Unk
81	FEMALE	DOUGHERTY	Unk
97	FEMALE	DOUGHERTY	Unk
76	FEMALE	DOUGHERTY	Unk
85	FEMALE	DOUGHERTY	Unk
87	FEMALE	DOUGHERTY	Unk
79	FEMALE	DOUGHERTY	Unk
63	FEMALE	DOUGHERTY	Unk
63	FEMALE	DOUGHERTY	Yes
61	MALE	DOUGHERTY	Unk
75	MALE	DOUGHERTY	Unk
48	FEMALE	DOUGHERTY	Unk
70	MALE	DOUGHERTY	Unk
90	FEMALE	DOUGHERTY	Unk

65	MALE	DOUGHERTY	Unk
46	MALE	DOUGHERTY	Unk
66	FEMALE	DOUGHERTY	Unk
86	MALE	DOUGHERTY	Unk
84	MALE	DOUGHERTY	Unk
81	FEMALE	DOUGHERTY	Unk
78	MALE	DOUGLAS	Yes
84	MALE	DOUGLAS	Yes
58	FEMALE	DOUGLAS	Unk
56	MALE	DOUGLAS	Unk
66	MALE	DOUGLAS	No
48	FEMALE	EARLY	Yes
54	MALE	EARLY	Unk
63	FEMALE	EARLY	Unk
58	MALE	EARLY	Unk
65	MALE	EARLY	Unk
56	MALE	EFFINGHAM	Yes
51	FEMALE	FAYETTE	No
77	FEMALE	FAYETTE	Yes
79	MALE	FAYETTE	Yes
83	MALE	FAYETTE	Yes
80	MALE	FLOYD	Yes
65	FEMALE	FLOYD	Yes
75	MALE	FLOYD	Yes
87	MALE	FORSYTH	Unk
68	FEMALE	FULTON	Yes
70	FEMALE	FULTON	Yes
66	FEMALE	FULTON	Unk
33	MALE	FULTON	Unk
70	FEMALE	FULTON	Yes
90	FEMALE	FULTON	Unk
50	FEMALE	FULTON	No
59	MALE	FULTON	Yes
63	MALE	FULTON	Yes
81	MALE	FULTON	Yes
89	MALE	FULTON	Yes
	MALE	FULTON	Unk
75	FEMALE	FULTON	Yes
85	MALE	FULTON	Yes
84	FEMALE	FULTON	No
53	MALE	FULTON	Unk
31	MALE	FULTON	No
93	FEMALE	FULTON	Unk
88	MALE	FULTON	Yes
36	FEMALE	FULTON	Unk
66	MALE	FULTON	Unk
73	MALE	FULTON	Unk
60	FEMALE	FULTON	Unk

90	FEMALE	FULTON	Unk
91	MALE	FULTON	Yes
77	MALE	FULTON	Yes
94	FEMALE	FULTON	Unk
86	FEMALE	FULTON	Yes
73	FEMALE	FULTON	Yes
75	MALE	FULTON	Unk
85	MALE	FULTON	Unk
58	MALE	FULTON	Yes
62	MALE	FULTON	Yes
68	MALE	FULTON	Yes
82	MALE	FULTON	Yes
78	MALE	FULTON	Yes
77	FEMALE	FULTON	Unk
62	MALE	FULTON	Yes
78	MALE	FULTON	Yes
89	FEMALE	FULTON	Unk
69	MALE	GORDON	Yes
78	MALE	GORDON	Yes
70	FEMALE	GORDON	Yes
100	FEMALE	GREENE	Unk
81	MALE	GWINNETT	Unk
74	FEMALE	GWINNETT	Yes
80	MALE	GWINNETT	Unk
81	FEMALE	GWINNETT	Unk
94	MALE	GWINNETT	Yes
81	FEMALE	GWINNETT	Yes
90	MALE	GWINNETT	Unk
63	MALE	GWINNETT	Yes
85	FEMALE	GWINNETT	Yes
81	MALE	GWINNETT	No
85	MALE	GWINNETT	Yes
66	MALE	GWINNETT	Yes
69	FEMALE	GWINNETT	Yes
76	FEMALE	HEARD	Yes
63	FEMALE	HENRY	Unk
73	MALE	HENRY	Unk
80	MALE	HENRY	Yes
84	MALE	HOUSTON	Yes
64	MALE	HOUSTON	Unk
90	MALE	HOUSTON	Yes
75	MALE	HOUSTON	Yes
85	MALE	HOUSTON	Unk
64	MALE	HOUSTON	Yes
64	FEMALE	LEE	Yes
58	MALE	LEE	Yes
55	FEMALE	LEE	Yes
63	MALE	LEE	Yes

70	FEMALE	LEE	No
49	MALE	LEE	Yes
68	FEMALE	LEE	Yes
54	MALE	LEE	Yes
67	MALE	LEE	Unk
63	MALE	LEE	Unk
57	MALE	LEE	Unk
34	FEMALE	LEE	Unk
49	FEMALE	LEE	Unk
81	FEMALE	LEE	Unk
81	FEMALE	LEE	Unk
66	MALE	LOWNDES	Yes
71	MALE	MADISON	Yes
45	MALE	MCDUFFIE	Unk
46	FEMALE	MCDUFFIE	Yes
81	MALE	MITCHELL	Yes
54	MALE	MITCHELL	Unk
68	MALE	MITCHELL	Unk
61	FEMALE	MITCHELL	Unk
55	FEMALE	MITCHELL	Unk
71	FEMALE	MITCHELL	Unk
97	FEMALE	MITCHELL	Unk
89	FEMALE	MITCHELL	Yes
85	FEMALE	MITCHELL	Yes
73	MALE	MITCHELL	Unk
	MALE	MITCHELL	Unk
77	MALE	MONROE	Yes
85	MALE	MUSCOGEE	Unk
61	MALE	NEWTON	Yes
85	MALE	NEWTON	Yes
77	MALE	NEWTON	Unk
85	MALE	OCONEE	Unk
83	MALE	OGLETHORPE	Unk
74	MALE	PAULDING	Yes
29	FEMALE	PEACH	Unk
57	FEMALE	PEACH	Yes
70	MALE	PICKENS	Yes
76	FEMALE	PICKENS	Yes
67	FEMALE	PIERCE	Unk
78	FEMALE	RANDOLPH	Unk
66	MALE	RANDOLPH	Unk
69	MALE	RANDOLPH	Yes
69	MALE	RANDOLPH	Unk
62	MALE	RICHMOND	Yes
83	MALE	RICHMOND	Yes
81	FEMALE	RICHMOND	Unk
44	FEMALE	ROCKDALE	Yes
57	FEMALE	ROCKDALE	Yes

61	MALE	SCHLEY	Yes
50	MALE	SPALDING	Unk
81	FEMALE	SPALDING	Unk
84	MALE	SPALDING	Yes
73	MALE	SPALDING	Yes
73	MALE	SUMTER	Yes
63	MALE	SUMTER	Yes
65	MALE	SUMTER	Unk
73	MALE	SUMTER	Yes
68	FEMALE	SUMTER	Unk
88	MALE	SUMTER	Yes
74	MALE	TALBOT	Yes
83	FEMALE	TAYLOR	Yes
58	MALE	TERRELL	Unk
81	MALE	TERRELL	Unk
77	MALE	TERRELL	Unk
88	FEMALE	TERRELL	Unk
78	MALE	TERRELL	Unk
79	MALE	TERRELL	Unk
77	MALE	TERRELL	Unk
75	MALE	TERRELL	Yes
73	FEMALE	TERRELL	Unk
59	MALE	THOMAS	Yes
87	FEMALE	THOMAS	Yes
62	FEMALE	TIFT	Yes
77	MALE	TOOMBS	Yes
61	FEMALE	TROUP	Yes
37	FEMALE	TROUP	Yes
66	FEMALE	TROUP	Yes
92	FEMALE	UNKNOWN	Yes
82	MALE	UNKNOWN	Yes
53	MALE	UNKNOWN	Unk
68	FEMALE	UNKNOWN	Unk
84	FEMALE	UNKNOWN	Unk
66	MALE	UNKNOWN	Unk
75	MALE	WALTON	Unk
74	MALE	WALTON	Unk
82	FEMALE	WARE	Unk
75	MALE	WARE	Yes
44	MALE	WARE	Yes
78	MALE	WHITFIELD	Yes
93	MALE	WHITFIELD	Yes
75	MALE	WORTH	Yes
48	MALE	WORTH	Unk
60	MALE	WORTH	Unk

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA**

MAR 30 2020

JAMES N. HATTEN, Clerk
By: *[Signature]* Deputy Clerk

**IN RE: COURT OPERATIONS UNDER
THE EXIGENT CIRCUMSTANCES
CREATED BY COVID-19 AND RELATED
CORONAVIRUS**

**GENERAL ORDER 20-01
AMENDED**

ORDER

In its General Order 20-01, dated March 16, 2020, this Court addressed Court operations under the exigent circumstances created by the spread of COVID-19 and the related Coronavirus. General Order 20-01 directed that no jurors be summoned in any Division of the Northern District of Georgia for 30 days from the date of the Order and continued all jury trials, including any trial specific deadlines, for 30 days pending further Order of the Court. The Order similarly directed that no grand jurors be summoned and all grand jury proceedings in the District be continued for 30 days pending further Order of the Court.

The exigent circumstances identified in General Order 20-01 having worsened with many citizens within the Northern District of Georgia now being under state and local government shelter in place instructions; and additional operations of the court needing to change in recognition of these circumstances, and

IT IS THEREFORE ORDERED that General Order 20-01 is amended to extend the specified 30-day time periods contained therein through and including the date of May 15, 2020.

IT IS FURTHER ORDERED that the time period of any continuance entered as a result of this Order (whether that continuance causes a pre-indictment delay or a pre-trial delay) shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A), as the Court finds that the ends of justice served by taking that action outweigh the interests of the parties and the public in a speedy trial. Absent further Order of the Court or any individual judge, the period of exclusion shall be from March 23, 2020, through and including May 15, 2020. The Court may extend the period of exclusion as circumstances may warrant. This Order and period of exclusion are incorporated by reference as a specific finding under 18 U.S.C. § 3161 (h)(7)(A) in the record of each pending case where the Speedy Trial Act applies. See *Zedner v. United States*, 547 U.S. 489, 506-07 (2006). The period of exclusion in this Court's prior General Order 20-01 on this subject is likewise incorporated by reference as a specific finding under 18 U.S.C. § 3161(h)(7)(A) in the record of each pending case where the Speedy Trial Act applies.

IT IS THEREFORE ORDERED that General Order 20-01 is amended to extend the specified 30-day time periods contained therein through and including the date of May 15, 2020.

Dated this 30 day of March 2020.



THOMAS W. THRASH, JR.
CHIEF UNITED STATES DISTRICT JUDGE

Carroll	131	1
Clayton	122	3
Lee	94	7
Henry	90	2
Cherokee	83	4
Hall	69	0
Floyd	60	2
Douglas	55	2
Clarke	51	5
Fayette	48	4
Forsyth	48	1
Terrell	46	2
Rockdale	45	2
Coweta	42	2
Richmond	41	0
Mitchell	38	1
Sumter	37	2
Chatham	36	2
Houston	35	4
Early	34	1
Newton	32	0
Paulding	32	0
Worth	28	1
Columbia	24	0
Lowndes	24	1
Tift	24	0
Bibb	22	0
Muscogee	21	0
Barrow	20	2
Colquitt	20	1
Troup	19	1
Glynn	18	0
Gordon	18	1
Crisp	17	0
Oconee	17	0
Polk	16	0
Spalding	16	0
Laurens	14	0
Walton	12	0
Dawson	11	0
Thomas	11	0
Calhoun	10	1
Dooly	10	0
Ware	10	1
Whitfield	10	1
Coffee	9	0
Jackson	9	0
Bryan	8	1
Burke	8	0
Butts	8	0
Decatur	8	0
Greene	8	0
Lumpkin	7	0
Meriwether	7	0
Peach	7	1



COVID-19: CVS Health Opens Drive-Thru Rapid Testing Site at Georgia Tech



Resources For Local Businesses Needing Help During Coronavirus

Pickens	7	1
Bacon	6	0
Baldwin	6	1
Monroe	6	0
Seminole	6	0
Clay	5	0
Effingham	5	0
Fannin	5	0
Franklin	5	0
Haralson	5	0
Liberty	5	0
Murray	5	0
Pierce	5	0
Randolph	5	0
Stephens	5	0
Upson	5	0
Baker	4	1
Camden	4	0
Catoosa	4	0
Hart	4	0
Jones	4	0
Lamar	4	0
Lincoln	4	0
Miller	4	0
Pulaski	4	0
Schley	4	0
Turner	4	0
Warren	4	0
Washington	4	0
Banks	3	0
Ben Hill	3	0
Chattooga	3	0
Dodge	3	0
Harris	3	0
Heard	3	1
Irwin	3	0
Madison	3	1
Mcduffie	3	0
White	3	0
Berrien	2	0
Brooks	2	0
Bulloch	2	0
Chattahoochee	2	0
Habersham	2	0
Jasper	2	0
Jefferson	2	0
Macon	2	0
Morgan	2	0
Pike	2	0
Rabun	2	0
Screven	2	0
Tattnall	2	0
Taylor	2	0
Toombs	2	0
Twiggs	2	0

Walker	2	0
Wilkes	2	0
Wilkinson	2	0
Appling	1	0
Bleckley	1	0
Candler	1	0
Charlton	1	0
Clinch	1	0
Cook	1	0
Dade	1	0
Emanuel	1	0
Gilmer	1	0
Grady	1	0
Jenkins	1	0
Johnson	1	0
Long	1	0
Mcintosh	1	0
Oglethorpe	1	0
Stewart	1	0
Talbot	1	0
Webster	1	0
Wheeler	1	0
Wilcox	1	0
Unknown	516	2

*Based on patient county of residence
when known

COVID-19 Testing By	No. Pos.	Total
Lab Type:	Tests	Tests
Commercial Lab	4281	18226
Gphl	357	2100

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GOVERNOR GRETCHEN WHITMER

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Governor Whitmer Signs Executive Order Expanding Absentee Voting in May 5 Elections

FOR IMMEDIATE RELEASE

March 27, 2020

Media Contact: BrownT56@michigan.gov

Governor Whitmer Signs Executive Order Expanding Absentee Voting in May 5 Elections

LANSING, Mich. — Governor Gretchen Whitmer today signed Executive Order 2020-27, encouraging Michiganders to vote absentee by allowing the Department of State to assist local jurisdictions in mailing absentee ballot applications to every registered voter, and to provide absentee ballots directly to new registrants. Local jurisdictions will still need to keep at least one polling place open for those who wish to vote in-person or are unable to vote by mail.

“While we work to slow the spread of COVID-19, we must do everything we can to encourage Michiganders to stay home and stay safe,” **Governor Whitmer** said. “The fewer people we have lining up at polling places the better, ensuring Michiganders safely practice social distancing while allowing them to safely exercise their right to vote in local elections.”

Michiganders who want to register to vote in the May 5 election are strongly encouraged to do so by April 20. They can register online at mvsos.state.mi.us/register/voter or by mail using the form available at michigan.gov/documents/MIVoterRegistration_97046_7.pdf.

Those who miss the deadline are still able to register to vote and can do so at their township or city clerk’s office, but should call ahead first. Clerks will also accept applications and proof of residency by mail, email or fax.

“I am grateful to Governor Whitmer for recognizing the critical need to protect public health while ensuring Michigan citizens are able to exercise their fundamental right as voters in our democracy,” said **Secretary of State Jocelyn Benson**. “Our sharpest tool to ensure citizens do not have to choose between casting a ballot and risking their health is the constitutional right they have to vote by mail, which voters themselves enshrined in our state constitution in 2018.”

"Canceling elections sets a dangerous precedent for our democracy. It signals that, in a time of great challenge and uncertainty, we would opt to give up on the fundamental building block of our republic - the ability to elect and hold our elected officials accountable," Benson said. "My administration will ensure that all voters eligible to participate in a local election on May 5 receive applications to vote by mail, and we will work with our local clerks to recruit staff and set guidelines to help ensure their health, safety - and our elections - are secure."

Information around this outbreak is changing rapidly. The latest information is available at Michigan.gov/Coronavirus and CDC.gov/Coronavirus.

To view executive order 2020-27, click the link below:

- [EO 2020-27](#)

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THE OFFICE OF GOVERNOR GRETCHEN WHITMER



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Executive Order 2020-27 (COVID-19)

EXECUTIVE ORDER

No. 2020-27

Conducting elections on May 5, 2020 using absent voter ballots

The novel coronavirus (COVID-19) is a respiratory disease that can result in serious illness or death. It is caused by a new strain of coronavirus not previously identified in humans and easily spread from person to person. There is currently no approved vaccine or antiviral treatment for this disease.

On March 10, 2020, the Michigan Department of Health and Human Services identified the first two presumptive-positive cases of COVID-19 in Michigan. On that same day, I issued Executive Order 2020-4. This order declared a state of emergency across the state of Michigan under section 1 of article 5 of the Michigan Constitution of 1963, the Emergency Management Act, 1976 PA 390, as amended, MCL 30.401-.421, and the Emergency Powers of the Governor Act of 1945, 1945 PA 302, as amended, MCL 10.31-.33.

The Emergency Management Act vests the governor with broad powers and duties to “cop[e] with dangers to this state or the people of this state presented by a disaster or emergency,” which the governor may implement through “executive orders, proclamations, and directives having the force and effect of law.” MCL 30.403(1)-(2). Similarly, the Emergency Powers of the Governor Act of 1945 provides that, after declaring a state of emergency, “the governor may promulgate reasonable orders, rules, and regulations as he or she considers necessary to protect life and property or to bring the emergency situation within the affected area under control.” MCL 10.31(1).



To mitigate the spread of COVID-19, protect the public health, and provide essential protections to vulnerable Michiganders, it is crucial that all Michiganders take steps to limit in-person contact. These critical mitigation measures include social distancing and limiting the number of people interacting at public gatherings. To that end, it is reasonable and necessary to temporarily suspend rules and procedures relating to the May 5, 2020 elections so that these elections may be conducted by absent voter ballot to the greatest extent possible. It also reasonable and necessary to suspend rules and procedures relating to the withdrawal of ballot proposals from the May 5, 2020 elections to better enable jurisdictions to move those elections to the August 4, 2020 election date.

From history and experience, when elections are held at polling locations, a large number of people often gather, increasing the risk of transmission of COVID-19. Section 641 of the Michigan Election Law, 1954 PA 116, as amended, MCL 168.641, provides for the May regular election to be held on May 5, 2020. Numerous school districts, counties, and other local governments have scheduled elections on May 5, 2020 with in-person voting at polling locations. At this time, conducting an in-person election would force voters and poll workers to be exposed to an unacceptably high risk of contracting or spreading COVID-19.

Because all registered electors in Michigan have the right to vote by absent voter ballot under section 4 of article 2 of the Michigan Constitution of 1963, conducting the May 5, 2020 elections by absent voter ballot provides a viable alternative to in-person voting at polling locations. Doing so permits Michigan voters to exercise their democratic rights while minimizing their exposure to the imminent and severe threat posed by COVID-19. And enabling jurisdictions to delay elections currently scheduled for May 5, 2020 where possible will further limit the disruption and harm caused by this pandemic.



Acting under the Michigan Constitution of 1963 and Michigan law, I order the following:

1. To protect the public health, safety, and welfare of this state and its residents, strict compliance with rules and procedures under chapter 28 of the Michigan Election Law ("Election Law"), 1954 PA 116, as amended, MCL 168.641 to 168.799a (conducting an election at a polling place) and under chapter 29 of the Election Law, MCL 168.801 to 168.813 (canvassing of the vote by inspectors of an election at a polling place) is temporarily suspended for elections on May 5, 2020, so that those elections may be conducted as specified in this order.



2. Elections on May 5, 2020 must be conducted to the greatest extent possible by absent voter ballots issued and submitted without in-person interaction. Each jurisdiction must maintain at least one (1) location on election day where any voter can appear in-person to receive and submit a ballot, including an individual with a disability that inhibits the individual from voting an absent voter ballot remotely. A local clerk, county clerk, or election administrator with an election on May 5, 2020 must immediately begin preparations to conduct that election primarily by mail, including the preparation of postage-prepaid absent voter ballot return envelopes for the return of voted ballots.
3. An individual possessing the qualifications of an elector under section 492 of the Election Law, MCL 168.492, who is not registered to vote but wants to register and vote in the May 5, 2020 election, is strongly encouraged to register online or by mail not later than Monday, April 20, 2020, and is strongly discouraged from going in-person to the office of the clerk of the township or city in which the individual resides to apply to register to vote. An individual can register to vote either online (by visiting mVIC.sos.state.mi.us/register voter) or by mail (using the form available at michigan.gov/documents/MI_VoterRegistration_97046_7.pdf).
4. Notwithstanding section 3 of this order, an individual possessing the qualifications of an elector under section 492 of the Election Law, MCL 168.492, who is not registered to vote but wants to register and vote in the May 5, 2020 election after

April 20, 2020, may apply to register to vote at the office of the clerk of the city or township in which the individual resides during any hours in which the clerk's office is open, as provided in chapter 23 of the Election Law, MCL 168.491 to 168.530, and as provided in sections 5 and 6 of this order.



5. An individual seeking to register to vote in-person at the office of the clerk of the city or township in which the individual resides is strongly encouraged to contact the clerk's office before doing so. To facilitate the timely processing of applications to register to vote and to minimize social interaction, beginning on April 21, 2020 and continuing through May 5, 2020, a township or city clerk may accept copies of applications to register to vote and residency verifications by mail, email, or facsimile for purposes of registration and verification by the clerk.



6. A clerk processing an in-person application to register to vote, any in-person voting in the clerk's office, and any individuals in the clerk's office must use best practices to mitigate the spread of COVID-19 and must comply with any applicable restrictions or requirements to that effect.
7. Any application to register to vote that is properly submitted beginning on the effective date of this order and continuing through May 5, 2020 by a voter residing in a jurisdiction holding an election on May 5, 2020 must also be considered a request for an absent voter ballot for the May 5, 2020 election.
8. Strict compliance with rules and procedures under section 646a of the Election Law, MCL 168.646a, is temporarily suspended for the limited purpose of permitting a political subdivision of this state that has certified a ballot question for placement on the ballot on May 5, 2020 to withdraw the ballot question. Removal of the question must be by the same method used by the local legislative body to certify the question to the ballot (such as by the adoption or rescission of a resolution or ordinance). If the county clerk is notified of the withdrawal by March 27, 2020, the ballot question must not be canvassed for the May 5, 2020 election. Ballot questions removed from a May 5, 2020 election may be submitted to voters at the August 4, 2020 or a later election date.
9. The Department of State may assist local clerks, county clerks, and election administrators with: the mailing of absent voter ballot applications with a postage-prepaid, pre-addressed return envelope to each registered voter within any jurisdiction conducting a May 5, 2020 election; the preparation of postage-prepaid absent voter ballot return envelopes; the coordination of county and state assistance in processing ballots; changes to election dates; and other local clerk functions to the extent local jurisdictions are unable to perform them.



10. This order is effective immediately.

Given under my hand and the Great Seal of the State of Michigan.



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