



November 6, 2018

By Email

Hon. Brian Kemp
Georgia Secretary of State
214 State Capitol
Atlanta, Georgia 30334
bkemp@sos.ga.gov
soscontact@sos.ga.gov

**Re: Significant Technical Problems and Delays at Voting Precincts
in Gwinnett County**

Dear Secretary Kemp:

As part of our efforts to ensure that all citizens can exercise the fundamental right to vote, the NAACP Legal Defense and Educational Fund, Inc. (LDF) monitors voting issues around the country. This morning, we have received multiple reports of broken and non-functioning voting machines, which in turn, are causing long lines and delays at the Annistown Elementary School and the Anderson-Livsey Elementary School precincts near Snellville in Gwinnett County, Georgia. Because of the non-functioning voting machines, voters had to use paper ballots.

At the Annistown Elementary School precinct, Cheryl Strickland reported waiting over 3.5 hours to vote,¹ while reports on social media show that others waited close to *five hours* to vote.² At the Anderson-Livsey Elementary School precinct, Nick Alexander reported arriving at 7:10 a.m., but not being able to vote and leave until 10:00 a.m., close to three hours later.³

Reports indicate that at least three other precincts in Gwinnett County—Gwinnett Public Library Branch in Suwanee, Mt. Vernon Baptist Church near Lawrenceville, and at Harbins

¹ Amanda C. Coyne, *Election 2018: Gwinnett voting machine issues fixed, but long lines persist*, ATLANTA JOURNAL-CONSTITUTION (Nov. 6, 2018), <https://www.ajc.com/news/local/polls-open-gwinnett-for-midterm-georgia-governor-elections/5oMoYUI5ykSBsUtm7HYbTO/>

² Twitter.com, Nov. 6, 2018, https://twitter.com/ria_2x/status/1059850800061661184 (“UPDATE: after 4hrs and 45 mins, I finally voted!!”).

³ Michael King, *Gwinnett County plagued with Election Day troubles -- including forgotten power chords*, 11 ALIVE (Nov. 6, 2018), <https://www.11alive.com/article/news/politics/elections/gwinnett-county-plagued-with-election-day-troubles-including-forgotten-power-chords/85-611764666>.



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Elementary near Dacula—suffered from technical problems that caused longer lines and delays for voters.⁴

Gwinnett County announced that polls will be open for an extra 25 minutes “because poll workers did not immediately start issuing paper ballots after they noticed the issues.”⁵ This brief extension is wholly inadequate to provide an equal opportunity to vote to those Gwinnett County voters who experienced over a four-hour delay and were unable to cast a ballot.

We ask that you immediately extend the voting hours for the Anderson-Livsey Elementary School and the Anniston Elementary School polling location in Gwinnett County affected by these technical delays by two hours. Additionally, we ask that you extend the hours of the Gwinnett Public Library Branch, the Mt. Vernon Baptist Church, the Harbins Elementary polling locations, and of any other precincts throughout the state that have been or become affected by similar technical delays. We also ask that information regarding the extension of voting hours at these precincts be publicized and disseminated to poll workers and the voting public through all available channels.

Voting in the United States is “a fundamental political right, because [it is] preservative of all rights.”⁶ It is imperative that no one lose their opportunity to vote, that no one be denied this crucial right, because of dead batteries, missing power cords at a polling place, and a county’s failure to provide properly functioning voting machines.

If you have any questions, please contact Catherine Meza at (202) 216-2727.

Sincerely,

A handwritten signature in black ink that reads "Sherrilyn A. Ifill". The signature is written in a cursive, flowing style.

Sherrilyn Ifill, President & Director-Counsel
Janai S. Nelson, Associate Director-Counsel
Samuel Spital, Director of Litigation
Leah C. Aden, Deputy Director of Litigation

⁴ See Tyler Estep & Amanda C. Coyne, *Updated: Technical Issues Cause Problems for Gwinnett Voters*, ATLANTA JOURNAL-CONSTITUTION (Nov. 6, 2018), <https://www.ajc.com/news/local-govt--politics/machines-down-hundreds-wait-one-gwinnett-voting-precinct/nNdh2wuAvjinnomVB5Oq9M/>; see also Alan Binder, *Voting Problems Crop Up as Americans Go to the Polls*, N.Y. TIMES (Nov. 6, 2018), <https://www.nytimes.com/2018/11/06/us/politics/voting-issues-election-day-georgia.html?smid=fb-nytimes&smtyp=cur>.

⁵ Estep & Coyne, *supra* note 4.

⁶ *Yick Wo v. Hopkins*, 118 U.S. 356, 370 (1886).



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Aaron Sussman
NAACP LEGAL DEFENSE
& EDUCATIONAL FUND, INC.
40 Rector, 5th Fl.
New York, NY 10006
asussman@naacpldf.org

Catherine Meza, Senior Counsel
cmeza@naacpldf.org

NAACP LEGAL DEFENSE
& EDUCATIONAL FUND, INC.
700 14th St., NW, Suite 600
Washington, D.C. 20005