

Georgia opens investigation into possible illegal ballot harvesting in 2020 election

Secretary of State Raffensperger says subpoenas could be forthcoming.

By [John Solomon](#) Updated: January 4, 2022 - [Story source: Just the News](#)

Georgia authorities have launched an investigation into an allegation of systematic ballot harvesting during the state's 2020 general election and subsequent U.S. Senate runoff and may soon issue subpoenas to secure evidence, Georgia Secretary of State Brad Raffensperger confirmed to Just the News.

Georgia law strictly prohibits third-party activists from picking up and delivering ballots on behalf of voters, a tactic called "harvesting" that liberal organizers have tried to get legalized in many battleground states without success. The U.S. Supreme Court this summer rejected Democrat efforts to overturn an Arizona law that outlawed harvesting in the battleground state.

Raffensperger, who is seeking reelection in 2022, led a successful effort in 2019 to strengthen Georgia's prohibition against harvesting ahead of the 2020 presidential election, and defeated an effort by prominent Democrat lawyer Marc Elias to overturn the harvesting ban. Raffensperger also reviewed and rejected claims by former President Donald Trump of widespread fraud during the 2020 election in a series of contacts under investigation by a local district attorney in Atlanta and the Jan. 6 select committee in Congress.

According to interviews and documents reviewed by Just the News, Raffensperger's office received a detailed complaint from conservative voter integrity group True the Vote on Nov. 30 saying it had assembled evidence that scores of activists worked with nonprofit groups to collect and deliver thousands of absentee ballots, often during wee-hour operations, to temporary voting drop boxes distributed around the state during the pandemic.

The group informed the secretary its evidence included video footage from surveillance cameras placed by counties outside the drop boxes as well as geolocation data for the cell phones of more than 200 activists seen on the tapes purportedly showing the dates and times of ballot drop-offs, according to documents reviewed by Just the News.

The group also said it interviewed a Georgia man who admitted he was paid thousands of dollars to harvest ballots in the Atlanta metropolitan area during the November election and the lead-up to Jan. 5, 2021 runoff for Georgia's two U.S. Senate seats, which were both captured by Democrats and ended GOP control of Congress. The group has yet to identify the cooperating witness to state authorities, referring to him in the complaint simply as John Doe.

The group does not allege the ballots delivered by couriers were fraudulent. Nonetheless, lawful ballots delivered by third-parties to drop boxes would run afoul of Georgia's law.

Raffensperger confirmed in an interview aired Tuesday on the John Solomon Reports podcast that his office has deemed the allegations credible enough to open an investigation and possibly seek subpoenas from the State Election Board to secure evidence.

"We do have some information," Raffensperger said. "And we are going to investigate that. We did deploy drop boxes that were under 24/7 surveillance, and because they were then that really, you know, can indicate who dropped that information off, and we're really just going through that."

Catherine Engelbrecht, the longtime head of True the Vote, declined to comment Tuesday, saying she wanted to let the Georgia investigation take its course.

The secretary of state's office did not review video footage from the drop boxes after the 2020 election but a statistical analysis from the federally funded research center Mitre Labs found "no suspicious indicators of ballot harvesting," Raffensperger said.

That said, the allegation a specific individual engaged in illegal harvesting warrants investigation, he added.

"If people give us, you know, credible allegations, we want to make sure that we do that," Raffensperger told Just the News. "And we have that right now as an ongoing investigation."

Raffensperger said his office is considering asking the State Elections Board to issue subpoenas to secure evidence such as the names of suspected ballot harvesters.

"That will be one of the processes we're looking at if we have people that don't want to come forward for whatever concern, because we really need to get to the bottom of it," he said during the interview. "We just can't let it sit there and lie. So if it comes to that, then that's probably the next step that we'd be looking at."

The announcement of the harvesting probe comes nearly a year after Raffensperger rebuffed Trump's claims of widespread fraud in the November election and declared on "60 Minutes" that Georgia had a mostly secure and fair election.

Many of the headline-grabbing allegations made by Trump advocates in Georgia in the frenzied days after the November election have been dismissed after investigations. For instance, claims were made that thousands of dead voters cast ballots, but a [final tally found only four ballots statewide were cast in the names of deceased](#).

Also, video footage surfaced that led some to claim suitcases of fake ballots were pulled out from under a table in the Atlanta vote-counting center. In fact, the ballots were lawful absentee ballots cast by real voters.

Raffensperger's office, however, has admitted that vote-counting in the state's largest county of Fulton, where Atlanta is located, suffered from widespread mismanagement and irregularities in 2020 — and for many years earlier — though the problems were not widespread enough to overcome Biden's 12,000-vote margin of victory.

Raffensperger and the State Elections Board have since taken dramatic steps under Georgia's new election integrity law to put Fulton County elections in state receivership, which may end up leaving the state, and not local officials, to administer the county's elections in 2022 and beyond. Most of Fulton's top election officials have departed since the 2020 elections. A final recommendation on a state takeover of the county's election administration is due later this month, Raffensperger said.

"For the first time, if we have a county that continuously fails like we do in Georgia, it's called Fulton County, that we have accountability measure that we can come in, and if they don't improve, then you can actually replace that county election board," he explained in the interview. "And then they'll hire a new election director to fix the process."

Raffensperger's decision to investigate the allegations and secure the video and phone evidence puts him at odds with Georgia's governor, fellow Republican Brian Kemp, who received a briefing last spring from True the Vote on its harvesting allegations about but did not take the matter further after True the Vote did not volunteer the names of suspected ballot traffickers.

Kemp referred the matter to the Georgia Bureau of Investigation, which did not seek subpoenas to try to secure the video surveillance, phone data or suspected names from True the Vote using a subpoena.

The harvesting probe is the latest twist in a remarkable election saga in Georgia, which rejected allegations of widespread fraud but acknowledged mismanagement in Fulton County. The Georgia Legislature then reformed its election laws in the aftermath of the 2020 election. Now, it must grapple with the question of whether some voting activists cheated by gathering lawful ballots in an unlawful manner.

Raffensperger's team received an overview of the evidence from True the Vote in the fall, got a formal complaint on Nov. 30 and chose, unlike Kemp, to run the information to ground with a full-scale probe, according to officials briefed on Raffensperger's plans.

True the Vote's complaint offered Raffensperger's office access to what are characterized as detailed phone records and surveillance video it said would show as many as 242 people repeatedly made trips to the drop boxes to deliver ballots in what it described as a mass "ballot trafficking operation." The aspect of the complaint that the secretary's office believed merited attention was the allegation the group had spoken to a man who admitted he and others engaged in ballot harvesting.

Using a tactic increasingly used by the FBI and the intelligence community to solve crimes or national security threats, the group said it bought commercially available geospatial mobile device data showing the locations of

suspected ballot harvesters' cell phones in the vicinity of the ballot drop boxes at the times people appeared on the surveillance footage stuffing multiple ballots into a drop box.

Kevin Brock, the FBI's former intelligence chief, said mobile device data that identifies a smartphone's location is readily available and can be a useful investigative tool. "More than a few companies aggregate data that is linked to certain apps on a smartphone. When users download an app, they agree to conditions that allow companies to track a smartphone's location. Most of this data is resold to advertisers, but when someone engages in illegal activity it can be subject to subpoenas and other court ordered process as well," he explained.

The phone data bought by True the Vote overlaid with video suggested 242 people engaged in a total of 5,662 ballot drops, an average of 23 runs per alleged harvester, the group alleged in the complaint.

The group told Raffensperger's office the video surveillance — though sometimes grainy and distant — showed numerous instances of people stuffing large numbers of ballots into the boxes, some with so many ballots in hand that some of the envelopes dropped to the ground. Some people were allegedly observed taking pictures of themselves at the boxes after delivering ballots, an action the group said may have been required to receive payments.

The group said many of the alleged drops — more than 40% of those observed on tape — occurred between the hours of midnight and 5 a.m., when most Georgians were asleep.

The group also said in its complaint it temporarily secured the cooperation of one person, identified in the complaint as John Doe, who admitted he participated in extensive ballot harvesting during the November 2020 election and Jan. 5 runoffs and was paid \$10 for each ballot he collected from a voter and delivered to a box. The man did not appear to understand his harvesting activities were illegal, but his participation was verified by his repeated appearance on the surveillance tapes, the group said.

"John Doe described a network of non-governmental organizations (NGOs) that worked together to facilitate a ballot trafficking scheme in Georgia," the group said in its complaint.

"John Doe's assignment included collecting ballots, both from voters in targeted neighborhoods and from NGOs that had their own ballot collection processes, delivering those ballots to other NGOs, picking up designated ballot bundles from the same group of NGOs, and depositing ballots into drop boxes spanning six counties in the metro Atlanta area," the group added.

"Each drop box delivery would typically include between 5 to 20 ballots," the complaint alleged. "John Doe described a payment validation process which involved taking cell phone pictures of the drop box where ballots were deposited."

The group's complaint did not identify John Doe by name, the nonprofits involved or other participants. Raffensperger's office is expected to use subpoenas to secure that specific information as part of the probe, officials said.

The harvesting allegations also are likely to refocus attention on the decision by Georgia and other states to distribute mobile drop boxes to collect ballots for the first time in the 2020 election as voters struggled with the pandemic and fears of voting in person.

Some critics have wrongly suggested Raffensperger created the use of drop boxes in Georgia out of whole cloth as part of a legal settlement he signed with Democratic voting activist Stacey Abrams and other advocates.

In fact, Georgia's law for years permitted counties to deploy absentee ballot drop boxes, but none did. "The board of registrars may establish additional sites ... for the purpose of receiving absentee ballots," the existing law stated.

When liberal activists pressed in 2020 to get the boxes deployed, Raffensperger and the State Elections Board passed an emergency rule to add some protections, such as a requirement that the drop boxes be covered by surveillance cameras.

Ironically, it is that protection that gave rise to the evidence at the heart of True the Vote's complaint.