

MADISON COUNTY COMMISSION

PUBLIC COMMENTS TRANSCRIPT

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00:00:00 Chairman Rex Vaughn: We'll start with Mr. Donald Barnes. Is Mr. Barnes here today? We'll give you a maximum of three minutes.

00:00:11 Donald Barnes: Mr. Chairman, members of the commission, you may be aware that in the state of Georgia, they had a five-year increase in budget for elections and did a report on the voter rolls. at this time as of August 26 in this report their voter rolls are the cleanest and the best they've ever been and that is true statement however in the same report by the Department of Audits and Accounts I have here exhibit 6 from page 10 of their report and it says approximately during this five-year period approximately 466 100,000 if I said that right 466 100,000 voters were removed during the 2022 to 2024 election cycles that's a lot

Editor's note: Exhibit 6 of the Georgia report identifies the figure as approximately 466,000 voters. Barnes's spoken phrasing is preserved above as transcribed.

so my questions for you today is with this in mind and would you as the County Commission fund a similar audit for the county in our voter rolls? That's one question. And if not, or in conjunction with that, would this commission ask the state of Alabama to do a similar audit for the whole state? And I have these materials handy if you need to see them. Thank you very much for your time. Mr. Chairman, congratulations. This is the first time I've seen you've been here since I've visited, so congratulations on your new position. Have a great day, gentlemen.

00:01:48 Chairman Rex Vaughn: Thank you, Mr. Barnes. Appreciate your comments today. Mr. Mike Siebert, are you present today? He wants to talk about elections as well.

00:02:07 Mike Siebert: Good morning. In 2000, I ran for district judge, and I lost by 42 votes. And we were in the middle of, at that time, we didn't have an automatic recount. And at that given time, we had to post the bond. Now, Harold Seder Jr. had actually posted that bond for us. We challenged it. Sheriff Whisenant came to me and said, look, we'll get a judicial appointment if you withdraw it. We finally did. But nonetheless, there were several people that were involved in that issue and exposing the amount of voter fraud that we had at that time.

As a result of that election and one other in South Alabama, we received voter ID in Alabama, which required people to produce an ID to be able to vote. The problem is that what's come out recently and what took place in 2006 are the voting machine algorithms. And we had a mathematician come down from New York from NYU And he was able to establish that there was a problem with the algorithm. So in 2006 when I ran, I was in a statutory recount because at that time we had changed law to accommodate situations where less than like a percent.

Well, I was one half of 1% in my race against Laura Jo Hamilton. So when we did the recount, we weren't allowed to look at the paper ballots. We were able to run it through the same algorithm. But even the Huntsville Times, at some points in the process of running those back through, the algorithm tripped. And the actual ballots and the count went backwards. And it was an article about it. And even the Huntsville Times, which we call the Huntsville Democrat, even came out and said it was a very squirrely recount.

The Republicans came up with \$2,000 to help fight it. The Democrats came up with \$200,000 to resist us. So the problem is now that Wes Allen has just come out with the issue saying that there are over 3,200 illegal people voting in Huntsville. I mean, not in Huntsville, but statewide. Of that 3,200, 725 are in Madison County. Now, the part of the problem Wes Allen says he doesn't know how this took place. Well, I can at least give you some guidance to some extent. Part of it is the SNAP program.

They send out automatic ballots for people to register, and they get registered as a result of that. There is no citizenship. There's no ID. They just simply mail it back in in the SNAP program. In a race like that where you have that much, it costs the candidate a lot, personally, unless they get a lot of funding. My race was about \$84,000 in the two races. But anyway, I think there needs to be an investigation into those to make sure that there is a, that is done. Thank you.

00:05:15 Chairman Rex Vaughn: Thank you, Mr. Siebert, for your comments. Is Tony Kim still here today?

00:05:21 Tony Kim: I'm here.

00:05:22 Chairman Rex Vaughn: Thank you, Tony.

00:05:24 Tony Kim: Mr. Chairman and Commission, thank you so much for your service. And it's an honor for me to be here and speak and be heard. And so my name is Tony Kim. I'm a Madison County voter, as you all are, and I'm here representing a grassroots group of Alabama citizens who are concerned about election integrity and the accuracy and transparency of our voting system. Our team has worked over the last two years spending hundreds of hours looking through the voter rolls. Other counties in Alabama have shared with their county commissions what they have found.

We want to share with you what we found as well at this time before the upcoming election. Our Alabama voter rolls have a significant amount of egregious errors and are out of compliance with state and federal laws, and consequently, our elections are vulnerable. Every fraudulent and illegal ballot nullifies a genuine ballot from one of our citizens. We have found a significant number of non-citizens, underaged, and disqualified felons in our Madison County voter rolls.

We also learned that Alabama and other states use a centralized election system through a contracted vendor, and it is called the Election System and Software, ES&S, and it is located in Omaha, Nebraska. Can our local registrars who have judicial authority and responsibility over the voter rolls of Madison County feel confident that they have absolute control when others have access? There have been reports that registrars in of some other counties who removed non-qualified voters subsequently had those updates reversed by the system.

When we appreciate our we appreciate our Alabama State Secretary Wes Allen for identifying 3,251 non-citizen in the voter rolls in August of 2024 and further working with DHS to identify 465 more in June of this year. But how did those non-citizens get into the voter rolls in the first place? Our registrar's legal responsibility demands that local control and accountability be possible, and they know that our Madison County voter rolls is not corrupted. The number of active and inactive voters in the voter rolls is almost equal to the number of eligible voters in Alabama.

One could interpret that data to say 100% of eligible voters in Alabama have registered to vote. We know that is not the case. A reasonable number of active registered voters in any population is typically 70%. However, for Alabama, it's 93%. A bloated voter roll will have an associated cost per registered voter including printing ballots and destroying unused ballots. So we want to bring these concerns and the data to your attention. And now I would like to introduce Bill Beardsley, who has his own personal testimony, and he has his own time. Thank you.

00:08:36 Chairman Rex Vaughn: Thank you, Mr. Kim. Mr. Beardsley. Mr. William Beardsley, come to the podium, please, sir.

00:08:43 William Beardsley: Good morning, gentlemen. First I want to open by thanking you for giving me the opportunity to speak before you this morning. My name is William Beardsley. I'm a retired Army Sergeant Major of 23 years of active duty service. One of my duties was to serve and protect the American people and to preserve one of our most precious rights, which is the rights to free and fair elections. My story begins way back in 2008 when my daughter returned from voting and she noticed that her mother's name was on the voters' rolls.

The problem with that is that she's a green card holder. So I went down and I saw, went down to vote and I talked to the lady that was checking in everybody. Her name was Sadie Bates. She was a neighbor of mine. And she asked if she was going to come vote and I said, well, no, she's not a citizen. So Sadie kind of got a little bit frustrated, but I asked her how we get her name off the rolls. She gave me an NVRA25. We completed that form and we turned it in.

And over the next several years, I asked that same question and I submitted that document three different times. During the 2020 election cycle, my wife received a mail-in ballot for Madison County, which kind of disturbed me because I didn't get one. What was even more frustrating was that a week later she got one for Jackson County. The problem, we assumed it was because we own multiple properties in both counties. That, I figured, is a real severe problem, and we disposed of those ballots because we knew it was illegal for her to vote.

Over the years, I've been telling this story for a long, time. And I'm a member of the Madison County Republicans Men's Association, and I mentioned that to Steve Marshall when he came, and he asked me to submit it my story in writing to his office, and I did that. Wes Allen was another person that I shared that story with. And again, I didn't get a response, but I did submit it in writing. And I do know that he did make an attempt to get green card holders removed from the rolls.

My wife is now a proud member of the United States or a citizen of the United States. And when we took her down to get her registered to vote, back for the primaries, we found that she's still on the rolls for District 4, even though we've moved to District 3 almost seven years ago. So my question is, I don't understand how it's so difficult to get somebody off the rolls, even though you submit that particular paperwork. I don't understand the particulars of that particular methodology.

But my question is, how do non-citizens get on the voter rolls without their knowledge, number one? Number 2, why was her name never removed after numerous attempts to get it removed? Number 3, where did the mail-in ballots come from and who sent them to us? And #4, how do we prevent this from happening again? Thank you, gentlemen, for your time. I appreciate you listening to my story.

00:11:58 Chairman Rex Vaughn: Thank you, Mr. Beardsley, for coming and making comments. Is Sandi Gross still available? If you want to come to the podium, Ms. Gross, that'd be great.

00:12:13 Sandi Gross: Hello. My name is Sandi Gross and I've been a resident of Madison County for 18 years in District 3. Thank you for giving me the opportunity to share some of what we, a group of citizens interested in election integrity have learned while examining our voter rolls. I want to begin by saying this. I do not believe our county registrars are the problem. They are working within a system that does not give them the information they need to identify an ineligible voter and keep our voter rolls clean and accurate. I just want to give you 2 examples today.

That of sexual offenders that should not be allowed to vote, yet do, and an example we found of a deceased voter whose identity was used by someone else to vote in recent elections. First, the sexual offenders. Under Alabama law, a person convicted of one of the felonies specifically designated as involving moral turpitude loses their right to vote. We compared Madison County voter records with publicly available sex offender records through a Madison County sex offender registry. It's public information. Everybody has access to that. Under the law, a person convicted-- oh, I already read that.

One felon we identified involved a man who raped a young girl. Despite his conviction, he was able to register and vote in 2018, 2020, 2022, and 2024. There are many, many, many more like this that we've uncovered in Madison County. Some of these vendors registered to vote despite their conviction, but didn't vote. Other registered and voted despite what the law says about their losing that right. Those cases raise a really important question. Does Alabama give our registrars the tools they need to identify these individuals and remove them from the rolls? The answer we have found is no.

There is no system in place for them to do that. My second example involves a dead voter. We identified a woman who died in 1988 at the age of 81 years old. The voter records we obtained still listed her as an active voter 38 years after her death. More concerning is that someone showed up at the polls, used her identity, and voted in 2008 and 2010, greater than 20 years after she had already died. She would have been 101 years old at the time. I am not standing here today to tell you who cast that ballot. We don't know.

We do not know. What I am telling you is that the record should have been removed 38 years ago following her death and nobody should have voted using her identity. We understand that Alabama has taken steps to improve the voter list using the state's AVID system, and that's great. But what we are finding suggests there are still enormous gaps. Every legitimate vote should accurately reflect the vote of the people who are legally entitled to vote. You as our county commissioners are the keepers of the purse.

Please take our research seriously and rethink spending our tax dollars on a system that is broken. We ask that our registrars be given the information and tools they need to keep our voter rolls accurate. Thank you very much.

00:15:27 Chairman Rex Vaughn: Thank you, Miss Gross, for attending today and for your comments. Is Miss Molly Elrod still here? Miss Elrod, the podium is yours.

00:15:38 Molly Elrod: Hello, thank you for giving me the opportunity to speak to you today. I am Molly Elrod and I am a Madison County voter in District 2. And between August of 2024 and July of 2026, the Alabama Secretary of State and the Department of Homeland Security issued multiple press releases stating that they identified more than a million people on the Alabama voter list or rows who were removed or marked for the removal process or flagged for having no qualifying documentation like driver's licenses.

One might expect the state to then fix the processes that have added these non-qualified people on the voter rolls in the 1st place. An Alabama code requires applicants to provide satisfactory qualifying evidence and requires county boards of registrars to continuously purge disqualified voters and declares them as judicial officers in matters pertaining to the registration of all the applicants to the voter rolls. The 1993

National Voter Registration Act and presidential executive orders made registration at driver's license offices, at public assistant agencies, and by mail commonplace and often automatic.

The result is a flood of registrations with inconsistent names like James, Jim, Jimmy, or just Jay. Sorting the duplicates and verifying eligibility is a constant labor-intensive burden on our local registrars. We've mentioned ES&S today, so the county registers must log into this third-party contractor's database in Omaha, Nebraska to fulfill their responsibilities. Many people seem to have access to this ES&S database. Does every person that registers voters have access to the databases needed to verify these qualifications, like citizenship and criminal history or correct residence?

The remotely located multi-access system effectively forces local registrars into a position where fulfilling their statutory and judicial duties is extremely difficult. The head of the Civil Rights Division at the Department of Justice recently received a statement. It is a crime to knowingly allow non-citizens to vote in federal elections. We have notified all 50 states of these federal election laws, and we will enforce them. End of quote. Thank you very much for hearing me today.

00:18:35 Chairman Rex Vaughn: Thank you, Ms. Elroy, for attending today. Appreciate your comment. Is Chris Kennedy still here?

00:18:44 Chris Kennedy: I am, Mr. Chairman.

00:18:45 Chairman Rex Vaughn: Thank you, Mr. Kennedy. Come to the podium.

00:18:48 Chris Kennedy: I'm also here to address our voter rolls. I'm sure you're troubled as I am about this, commissioners. Be easy for us folks to say sure, but these are all outliers. These are things that don't happen very often, and that may be true. What is also true is that these are symptoms of a much bigger problem. This county government, the people of Madison County, do not have control of our voter rolls. Both figuratively and literally since they live on a computer server owned by a third party with no ties to this community.

The election system in the US has been designated as critical infrastructure and it is. This commission should not just hand off responsibilities to Montgomery and a third party vendor that is handling this for hundreds or even thousands of other counties. And they have no control of what we ask them to do. We need to monitor what they're doing and we need to what they're doing with our voter rolls and our election infrastructure.

And in this age of artificial intelligence, where a computerized voting data can be altered, deleted, and changed in milliseconds, our due diligence in monitoring and facing these systems is more important than ever. This is not a set and forget it system. This commission, our commission, needs to take steps to monitor, control, and repair our critical election infrastructure. Part of self-government is taking self-responsibility to monitor what officials are doing in office. Another part of our responsibility is to bring to officials attention problems with which we become aware. When we see something, we're going to say something, and we've seen something.

I urge you folks to take this seriously and work with your constituents to take our voter rolls back to our county.

00:20:19 Chairman Rex Vaughn: Thank you, Mr. Kennedy.