

FOR IMMEDIATE RELEASE    January 18, 2009

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### **Georgia Election Case Dismissed After Questionable Prosecution**

ATLANTA, GA – All matters asserted against former Lowndes County elections technician, Laura Gallegos, were dismissed last Thursday during an administrative hearing. The State Election Board (SEB) had accused her of improper testing which led to the inclusion of 947 test votes in the 2008 Lowndes County election results. The case was investigated by the office of Shawn LaGrua, the Inspector General who reported to SEB chairwoman and former Secretary of State, Karen Handel.

The dubious allegations in Mrs. Gallegos' case have attracted statewide attention that helped her garner assistance from civic organizations including the Georgia Voting Rights Coalition, the ACLU Voting Rights Project, Defenders of Democracy, Operation Restoration, Madison Forum, and VoterGA. VoterGA assisted her attorney, Converse Bright, in preparing the defense and offered expert witness testimony on her behalf.

Testifying for the SEB, Mr. James Long, a voting machine engineer hired from the federal Elections Assistance Commission to support Georgia's state elections, provided technical background for the case that was prosecuted by Deputy Attorney General, Ann Brumbaugh. However, during cross examination, he concurred with points made by Mr. Bright in his opening argument, including that:

- \* The voting machines will accept test votes while accumulating actual election night results;
- \* None of the testing that Mrs. Gallegos allegedly skipped had anything to do with the inclusion of the 947 test votes into the live results on election night;
- \* The 947 test votes were included when an unidentified election official loaded a memory card during vote accumulation and ignored a warning indicating the card had test votes;
- \* There was no evidence that Mrs. Gallegos, who was not even present during the accumulation, committed any violation on election night;
- \* The machine malfunction that Mrs. Gallegos discovered during testing caused it not to clear the test votes from that card;
- \* The county elections supervisor, not Mrs. Gallegos, was responsible for matching

the poll book totals to the recap of votes cast to detect potential discrepancies on election night;

Judge John Gatto dismissed the case after confirming another opening argument made by Mr. Bright. He determined from testimony by supervisor, Deb Cox that she had not properly sworn in Mrs. Gallegos as a voting machine custodian.

Evidence supporting all of these findings was previously delivered to the SEB in requests by Mrs. Gallegos and VoterGA. They sought to reopen her case due to lack of a proper hearing, as required by law. Their requests were denied in a December 2009 SEB meeting by Karen Handel.

Mrs. Gallegos' saga is not over yet. She has filed a pending complaint to the State Inspector General's office claiming that her investigation and prosecution were conducted to cover up a voting machine defect and as many as six or more potential violations committed by her supervisor. The verdict and admissions in her trial appear to corroborate her complaint.

Although absolved of any wrongdoing in court, Mrs. Gallegos spent thousands of dollars in attorney fees, her family has suffered a foreclosure, and she was terminated from her job.

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