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Promoting Conservative Values and Actions

August 5, 2021

District 51
P.O. Box 600
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Honorable Senator Steve Gooch,

We are a concerned group of voting citizens and we represent the Georgia Mountain Patriots. On November 06, 2020, Governor Brian P. Kemp, Lieutenant Governor Geoff Duncan, and Speaker David Ralston issued the following joint statement regarding the 2020 general election.

“Free and fair elections are the foundation of our American government. Any allegations of intentional fraud or violations of election law must be taken seriously and investigated. We trust that our Secretary of State will ensure that the law is followed as written and that Georgia’s election result includes all legally-cast ballots — and only legally-cast ballots. We will continue to follow this situation to ensure a fair and transparent process.”

Since the time of this statement, the executive branch has blocked challenge after challenge removing any and all transparency and fairness of the election process in Georgia. Every legal contest has been met with the members of the executive branch filing motions to END the requests by Georgia citizens. In one of the latest court filings in Hall County, it was discovered that...” **The SOS brief was found to have approximately nine false claims,** identified by the Petitioners response brief.” The executive branch is lying to our courts and our citizens in an effort to cover-up election crimes. **This must STOP!**

We are asking that the Senate Committee on Ethics to investigate Secretary of State Brad Raffensperger for violation of Georgia ethics, Georgia law, dereliction of duty and possible crimes against the citizens of Georgia. We implore you to call for an investigation. The actions or lack thereof by Secretary Raffensperger in allowing his branch of government to continually deceive the courts and the people of Georgia is a violation of Georgia Code Title 45. Public Officers and Employees 45-11-1. The attached document explains many of the Georgia laws, codes, and oaths we believe have been violated by Secretary Raffensperger. The attached document will be communicated to the Georgia Office of Inspector General. Thank you for your service and support,

Respectfully,

Mountain Patriots
Carol Chamberlain
Vice-Chairman

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This document is intended to be a roadmap to weave you through the alleged crimes and violations committed by Secretary Raffensperger and his office. The resources and documents reviewed are all public record and many are court documents or based on court documents. Members of the Georgia Executive Branch have violated the U.S. Constitution, Georgia Constitution, Georgia Law, and Georgia Codes. Most of these issues are a matter of public record and require little to no investigation to identify the violation and lack of respect for our law.

We are a group of law-abiding, concerned citizens in Georgia, we expect the same from our elected officials. We have attempted to identify obvious laws, codes, oaths etc. that may have been violated by the Secretary of State's office. For Example, when a member of the Secretary of State's office secretly recorded a phone call with then President Trump, they created a public record per Georgia Code § 45-11-1 - Offenses Involving Public Records, Documents, and Other Items. When they altered the recording, they violated §45-11-1, when they attempted to destroy the recording, they again violated § 45-11-1. In the remaining document we will simply state the code(s) violated and not the detail as shown in the paragraph below. i.e., (violated § 45-11-1).

*Georgia Code § 45-11-1 (a) **If any public officer or other person shall steal, embezzle, alter, corrupt, withdraw, falsify, or avoid any record, process, charter, gift, grant, conveyance, or contract; or shall knowingly and willfully take off, discharge, or conceal any issue, forfeited recognizance, or other forfeiture; or shall forge, deface, or falsify any document or instrument recorded or any registry, acknowledgment, or certificate; or shall alter, deface, or falsify any minutes, document, book, or any proceeding whatever of or belonging to any public office within this state; or if any person shall cause or procure any of these offenses to be committed, or to be in any manner concerned therein, he shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment and labor in the penitentiary for not less than two years nor more than ten years. Per section (1) "sound recordings" are a record***

The lawless culture created by Secretary Raffensperger has spread throughout the executive branch of Georgia Government. Governor Kemp remains silent while watching these abuses take place **is the same as condoning them.**

*"In March of 2020, after being sued by partisan political operatives, Secretary of State Raffensperger entered into an unconstitutional settlement agreement (hereinafter the "Agreement") in the case of Curling v. Raffensperger, 397 F. Supp.3d 1334 (2019), which substantively altered election processes without required approval of the Georgia General Assembly."*¹ The act of entering into this agreement and knowingly not communicating this to the State Legislature is a possible felony per § 45-11-1, an ethics violation § 45-10-1, in addition to a violation of his oath § 45-3-11.

*"March 24, 2020 The Secretary of State illegally mailed millions of absentee ballot requests using a negligently maintained voter registration list. In addition to relaxing the verification requirements for absentee ballots, the Secretary significantly increased the number of absentee ballots cast by sending absentee ballot applications to every person registered to vote in the State of Georgia."*² (§ 45-10-1, § 45-11-1, § 45-3-11).

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Secretary of State Brad Raffensperger has refused to investigate and/or communicate results of investigations conducted, associated with 2020 general election and the 2021 senatorial election. Signed and sworn affidavits, proving election wrong doing and potential fraud, have been ignored and in almost all cases have not been acknowledged by the Secretary of State. Georgia Senator Burt Jones ³ and former U.S. Senator Kelly Loeffler ⁴ have called for investigating the Secretary associated with these findings. Knowing these conditions occurred and his lack of action or investigation, is a violation and a possible felony per Georgia Code Title 45. Public Officers and Employees § 45-11-1 (§ 45-10-1, § 45-3-11).

Georgia's primary election on June 9, 2020 was administered so poorly the Georgia House Governmental Affairs Committee was tasked with investigating the election. The investigation identified the following: (i) multiple issues related to absentee ballots; (ii) inadequate training for the new voting machines; and (iii) procedural issues regarding COVID-19. Secretary Raffensperger glossed over these issues and failed to take sufficient corrective or legal actions prior to either the general election or run-off election. ⁵ (§ 45-11-1).

September 8, 2020 Secretary Raffensperger announced approximately 1,000 individuals faced investigation for double voting in the primary election by casting both an absentee ballot and voting in person. Eight months and two elections later, Secretary Raffensperger has not fully resolved the double voting issues.⁶ (§ 45-11-1, § 45-10-1).

In his role as Chair of the State Board of Elections, Secretary Raffensperger made sweeping, poorly communicated, and inconsistently applied changes to critical elections procedures including, but not limited to: (i) permitting unsecure drop boxes whose number varied across the state, with some counties having dozens and others having none, and (ii) mass unsolicited absentee ballot request mailings, which unlocked the potential for fraud. ⁷ (§ 45-11-1).

"The Change of Address issues – previously either ignored or unreported by the Secretary of State's office – that have surfaced indicated that as many as 35,000 Georgians potentially voted illegally." ⁸ The basis of the report was that of 35,000 Georgians who indicated they moved out of county more than 30 days before the November general election, in May 10,300 updated their voter registration information confirming the address change they made with the U.S.P.S. (§ 45-11-1 (§ 45-10-1, § 45-3-11).

On November 10th, 2020 the Atlanta Journal Constitution, *One such issue referred to by Messrs. Raffensperger and Sterling was the counting of ballots in Fulton County at State Farm Arena after poll workers ejected election monitors, falsely telling them that counting had finished counting for the night. This is now known to be a lie.* Secretary Raffensperger's shifting explanations and contradictory statements regarding the State Farm video scandal are telling. The Secretary's initial position was that there were no ballots counted during that time of night. This is clearly false from a plain viewing of the video. Indeed, an estimated 24,000 ballots were illegally scanned in the dark of night outside the presence of election monitors. ⁹ (§ 45-11-1 (§ 45-10-1, § 45-3-11).

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*“It is clear from the video evidence, however, that the counting continued for at least ninety (90) minutes before any monitor arrived. Next, the Secretary of State on 60 Minutes publicly stated that the video was deceptively edited. Brad Raffensperger, Interview with Scott Pelley, 60 MINUTES (January 12, 2021); see also Public Letter from Brad Raffensperger to Members of Congress (January 6, 2021). This is now known to be a lie as well. The President's legal team attached the video footage in its entirety as evidence in its election challenge.”*¹⁰

There is no known evidence that this incident was thoroughly investigated by the Secretary of States office. (§ 45-11-1 (§ 45-10-1, § 45-3-11).

November 13, 2020 Georgia Secretary of State Brad Raffensperger appears to have staged a fake election audit, as revealed in documents received through a FOIA request by Kevin Moncla. The report date from Pro V&V was July 15, 2021. [REPORT: Raffensperger Exposed For Allegedly Staging Fake Election Audit In November, Documents Show - National File.](#)¹¹ [Secretary Raffensperger referenced this audit several time in his letter to the U.S. Congress, January 6, 2021.](#)¹² (§ 45-11-1, § 45-10-1, § 45-3-11).

November 15, 2020 *“The SOS forced counties to enter their data sheets into his central system and let the SOS office determine what the results of their audit were, rather than counties reporting their results from the bottom up according to standard election procedures used worldwide. Voter GA polled all 159 counties and found that roughly 150 of them possessed no electronic total records for their own audit.”*¹³

December 23, 2020 Raffensperger agrees to provide election data to prove President Trumps data is wrong in exchange for the President to drop his 4 law suits against Raffensperger and the State of Georgia. All law suits were dropped by the Presidents team. Secretary Raffensperger’s office has never provided the data to the president and his team.¹⁴ This settlement offer is also in the public record. See Exhibit "C" in Petitioners ' Joint Brief in Opposition to Respond Erica Hamilton 's Motion for Attorney 's Fees Pursuant to O. C. G.A. 915-14, Trump v. Raffensperger. In a subsequent email, the President's attorneys accepted the Secretary's terms and dismissed the suits.¹⁵ Id. To date, however, that data has not been released either publicly or to the former President's attorneys. (§ 45-10-1, § 45-3-11, § 45-11-1).

*“In sum, the Secretary not only misrepresented the contents of the call with apparent malice, he also failed to honor the agreement made with the former President's legal team on that call and their subsequent written agreement as well. Instead, the Secretary perpetuated a false narrative for political ends, and he has yet to produce any data or information, aside from conclusory statements and naked assertions, to support his version of events. In stark contrast, the former President's legal team and experts showed their work, filing more than 8000 pages' worth of data in the public record, which show hundreds of thousands votes illegally cast and counted according to the Act. The Secretary of State has yet to factually disprove with actual data (as opposed to conclusory media summaries), much less materially engage with, the data evidence underpinning the former President's case”*¹⁶. (§ 45-11-1, § 45-10-1, § 45-3-11)

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April 13, 2021 Secretary Raffensperger and Attorney General Chris Carr submitted an amicus brief to the court, the brief contained nine false statements intended to stop the forensic audit of Fulton County Ballots. Why would Secretary Raffensperger and Attorney General Chris Carr lie to the court? This must STOP! AG Chris Carr went so far as to threaten the citizens of Georgia that if citizens pursuing to look at ballots can be charged with a felony. ¹⁷ (§ 45-11-1, § 45-10-1, § 45-3-11)

The Tea Party Patriot Foundation (TPPF) filed a separate amicus brief that documents numerous facts that the Raffensperger / Carr's brief fails to consider or intentionally withheld from the court. The known false claims from the Raffensperger / Carr are listed below ¹⁸ and the summarized statements ¹⁹.

The Raffensperger / Carr brief falsely argues that claims of those seeking to inspect ballots are “baseless” despite sworn affidavits from senior poll managers who contend they handled counterfeit ballots while serving as auditors during the Fulton County hand count audit.

The Raffensperger / Carr brief falsely argues there was no unlawful activity at the State Farm Arena the night of November 3rd despite recorded video evidence showing multiple violations of Georgia election law.

The Raffensperger / Carr brief falsely attempts to criminalize inspection of ballots by citizens under a court order by misinterpreting Georgia law that is enforced during an election [O.C.G.A. 21-2-574]

The Raffensperger / Carr brief attempts to wrongfully intimidate those who seek to inspect ballots by implying they would be committing a felony while inspecting ballots under a court order.

The Raffensperger / Carr brief falsely argues that petitioners did not articulate legal justification to unseal ballots despite numerous briefs and verbal arguments in the case explaining that the court has the ultimate jurisdiction to unseal the ballots [O.C.G.A. 21-2-500]

The Raffensperger / Carr brief falsely implies ballots cannot be inspected without compromising voter privacy issues despite the fact that ballots contain no voter identifiable information

The Raffensperger / Carr brief falsely implies ballots cannot be inspected without compromising ballot security despite the fact that the revised plan presented by 7 petitioners calls for ballots to be inspected while they remain in the custody of Fulton County

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The Raffensperger / Carr brief falsely attempts to use a 2007 Smith V. Dekalb case as precedent for his argument despite the fact that said case referenced the old electronic voting system that never produced paper ballot images

The Raffensperger / Carr brief falsely implies the recently passed Act 9 of the Georgia General Assembly prevents ballots from being unsealed despite the act containing no such language

The Raffensperger / Carr brief falsely argues the complaint concerns only Open Records Requests when 7 of 9 counts involve Equal Protection and Due Process violations of Georgia and United States Constitutions as the court corrected Assistant AG McGowan while she made the claim

The Raffensperger / Carr brief disregards the Equal Protection and Due Process rights of Georgians in favor of vote counting secrecy

*“Now, the Secretary goes one step further, seeking aggressively to interject himself and the power of his office into a proceeding that does not involve him as a party, attempting to use the court to circumvent statutory duties and to further undermine transparency, best evidence, and the production of meaningful records that his office is required to produce under the Act.”*²⁰ (§ 45-10-1, § 45-3-11)

*April 13, 2021 “The vigor with which the Secretary of State has attempted to obfuscate access to the original ballots can only raise additional questions about what they fear Petitioners might uncover upon inspecting them”.*²¹

June 2021 At the Georgia GOP convention held June 4 & 5, the “Georgia GOP convention censured Secretary of State Raffensperger earlier this month for “dereliction of his Constitutional duty,” including, according to a [report](#) from the 2021 State Resolutions Committee: Undermining the security of our elections by allowing mass mailings of absentee applications by his office and third parties which created opportunities for fraud and overwhelmed election offices; rendering accurate signature matching nearly impossible; allowing ballot drop boxes without proper chain of custody; and ignoring sworn affidavits and disregarding evidence of voter fraud.”²²

June 14, 2020 Following a lengthy investigation by the Georgia STAR News, Secretary Raffensperger stated that Fulton County is under investigation by his office for its inability to produce ballot drop box transfer forms for absentee ballots from the November 3, 2020, general election. At least 385 absentee ballot transfer forms are still missing, which would account for approximately [18,901](#) votes. Senator Burt Jones has requested this issue to be investigated²³.

“New Evidence Reveals GA Audit Fraud and Massive Errors ATLANTA GA — Petitioners in a lawsuit organized by VoterGA to inspect Fulton County ballots have added stunning claims in their [amended complaint](#) and provided new evidence from public records that show Fulton County's [hand count audit](#) of the November 3rd 2020 election was riddled with massive errors

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***and provable fraud.** Most new allegations and evidence are based on a VoterGA data team's analysis of Fulton's November 2020 mail-in ballot images made public after petitioners won a court order on April 13th and VoterGA lobbying efforts led the Georgia General Assembly to make all images public under Open Records Requests beginning March 25th.*"²⁴

In a recent interview with State Sen. Burt Jones following his visit to observe the Arizona audit: *"Fulton county's fighting you know and **the Secretary of State has been trying to put up obstacles in front of it as well**, but thankfully the judge is being very judicial and it seems they're being very fair and working through the process, and so we'll just see what happens there. This audit should find its way through courts with no problems as it is Georgia's right to audit their vote. **Secretary of State Ben Raffensperger needs to stand down and yield to GA voters if we are to get a result out of Georgia.**"²⁵ (§ 45-10-1)*

Voter GA announcement on July 13, 2021 which stated, **"New Evidence Reveals GA Audit Fraud and Massive Errors** ATLANTA GA – Petitioners in a lawsuit organized by VoterGA to inspect Fulton County ballots have added stunning claims in their amended complaint and provided new evidence from public records that show Fulton County's hand count audit of the November 3rd 2020 election was riddled with massive errors and provable fraud."²⁶

July 14, 2020 Statement by Donald J. Trump, 45th President of the United States of America

The news coming out of Georgia is beyond incredible. The hand recount in Fulton County was a total fraud! They stuffed the ballot box and got caught. We will lose our Country if this is allowed to stand.

According to the just released report from Garland Favorito and the highly respected Voter GA, in Fulton County the hand recount was wrong by 60%; 100,000 tally sheets for ballots were missing; they duplicated thousands of extra votes for Joe Biden; and fabricated vote counts of 100–0 for Biden, many times! Ballot batch sheets fraudulently showed multiple unanimous 100–0 counts for Biden, as well as 150–0, and 200–0. Are we now in a Third World country? What else will they find once the full Forensic Audit takes place?

This means Brad Raffensperger certified the 2020 Presidential Election Scam despite it being "riddled with massive errors and provable fraud." This proves what Suzi Voyles, who worked Fulton elections for decades, suspected, that fraudulent photocopied ballots were counted for Biden. This is on top of the 35,000 illegal votes recently found in Georgia, and the over 100,000 obsolete voter registrations, plus thousands of dead people, deleted AFTER the election.

Will the Attorney General of Georgia Chris Carr finally act? How has Governor Brian Kemp allowed this to happen?

This is corruption at the highest level. Our Nation is at stake!"²⁶

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We are asking that you, as one of our elected leaders, to stop the lawless behavior of Secretary Raffensperger and his staff. An investigation and actions to hold the appropriate people accountable is the only way to restore faith in our elections in Georgia. We believe this should be everyone's priority. Thank you for your dedication and service to this Great State.

Sincerely,

The Mountain Patriots

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End Notes

¹ The Superior Court Of Fulton County State Of Georgia, Favorito v. Cooney, TPPF Amicus Brief, April 30, 2021. [tppf-amicus-brief-unseal-paper-ballots-04.30.2021.pdf \(wordpress.com\)](#)

². Letter from former U.S. Senator Loeffler to AG Chris Carr, April 28, 2021. Request an investigation into Brad Raffensperger. [Greater Georgia Group Chair Kelly Loeffler Asks AG Chris Carr to Investigate Brad Raffensperger - The Georgia Star News](#)

³ Letter from Senator Burt Jones to Senate Chairman Harbin, June 15, 2021, “Request an investigation by the Senate Government Oversight Comm into Secretary Brad Raffensperger”

⁴ Letter from former U.S. Senator Loeffler to AG Chris Carr, April 28, 2021. Request an investigation into Brad Raffensperger.

^{5, 6, 7} Letter from former U.S. Senator Loeffler to AG Chris Carr, April 28, 2021. Request an investigation into Brad Raffensperger.

⁸ Letter from Senator Burt Jones to Senate Chairman Harbin, June 15, 2021, “Request an investigation by the Senate Government Oversight Comm into Secretary Brad Raffensperger”

⁹ The Superior Court Of Fulton County State Of Georgia, Favorito v. Cooney, TPPF Amicus Brief, April 30, 2021. [tppf-amicus-brief-unseal-paper-ballots-04.30.2021.pdf \(wordpress.com\)](#)

¹⁰ The Superior Court Of Fulton County State Of Georgia, Favorito v. Cooney, TPPF Amicus Brief, April 30, 2021. [tppf-amicus-brief-unseal-paper-ballots-04.30.2021.pdf \(wordpress.com\)](#)

¹¹[REPORT: Raffensperger Exposed For Allegedly Staging Fake Election Audit In November, Documents Show - National File](#)

¹². Letter GA Secretary Raffensperger to Jody Hice U.S. Congress January 6, 2021

¹³. Voter GA Press Release December 3, 2020 Dominion System Flips Georgia Trump Votes to Biden State Orders Counties to Certify Dominion Results Anyway [Press Release \(wordpress.com\)](#)

¹⁴ The Superior Court Of Fulton County State Of Georgia, Favorito v. Cooney, TPPF Amicus Brief, April 30, 2021. [tppf-amicus-brief-unseal-paper-ballots-04.30.2021.pdf \(wordpress.com\)](#)

¹⁵ The Superior Court Of Fulton County State Of Georgia, Favorito v. Cooney, TPPF Amicus Brief, April 30, 2021. [tppf-amicus-brief-unseal-paper-ballots-04.30.2021.pdf \(wordpress.com\)](#)

¹⁶ The Superior Court Of Fulton County State Of Georgia, Favorito v. Cooney, TPPF Amicus Brief, April 30, 2021. [tppf-amicus-brief-unseal-paper-ballots-04.30.2021.pdf \(wordpress.com\)](#)

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¹⁷ The Superior Court Of Fulton County State Of Georgia, Favorito v. Cooney, SOS Amicus Brief, April 2, 2021. [Microsoft Word - AG-#1264365-v1-Favorito Motion to file amicus brief \(wordpress.com\)](#)

¹⁸ The Superior Court Of Fulton County State Of Georgia, Favorito v. Cooney, TPPF Amicus Brief, April 30, 2021. [tppf-amicus-brief-unseal-paper-ballots-04.30.2021.pdf \(wordpress.com\)](#)

¹⁹. The Constitution Party of Georgia, May18, 2021, AG Carr Amicus Brief [Sign the Petition - AG Chris Carr Vote of "No Confidence" - Constitution Party of Georgia \(gaconstitutionparty.org\)](#)

²⁰ The Superior Court Of Fulton County State Of Georgia, Favorito v. Cooney, TPPF Amicus Brief, April 30, 2021. [tppf-amicus-brief-unseal-paper-ballots-04.30.2021.pdf \(wordpress.com\)](#)

²¹ The Superior Court Of Fulton County State Of Georgia, Favorito v. Cooney, TPPF Amicus Brief, April 30, 2021. [tppf-amicus-brief-unseal-paper-ballots-04.30.2021.pdf \(wordpress.com\)](#)

²². Georgia GOP Censures SOS Raffensperger, June 4, 2021. [2021 Convention Resolutions Committee Report | GAGOP](#)

²³ Letter from Senator Burt Jones to Senate Chairman Harbin, June 15, 2021, “Request an investigation by the Senate Government Oversight Comm into Secretary Brad Raffensperger”

²⁴. Voter GA Press Release July 13, 2021 New Evidence Reveals GA Audit Fraud and Massive Errors [Press Release \(voterga.org\)](#)

²⁵. **The Gateway Pundit’s, Conradson spoke to Sen. Burt Jones about Arizona Audit** [GA Senator Burt Jones Speaks to TGP's Conradson after AZ Audit Tour: "Very Well Organized, Very Businesslike Operation" - GA Secretary of State Is Trying to Put Obstacles Up \(thegatewaypundit.com\)](#)

²⁶. Statement by Donald J. Trump, 45th President of the United States of America, July 14, 2021, “New Evidence Reveals GA Audit Fraud and Massive Errors” [ICYMI: “New Evidence Reveals GA Audit Fraud and Massive Errors” | News | Donald J. Trump \(donaldjtrump.com\)](#)

§ 45-3-11 Georgia Code Title 45 - Public Officers and Employees Chapter 3 - Official Oaths and Commissions Article 1 - Official Oaths § 45-3-15. Proceeding for false swearing when loyalty oath violated. [Georgia Code Title 45, Chapter 3 \(2019\) - Official Oaths and Commissions :: 2019 Georgia Code :: US Codes and Statutes :: US Law :: Justia](#)

§ 45-10-1 Georgia Code Title 45 - Public Officers and Employees Chapter 10 - Codes of Ethics and Conflicts of Interest Article 1 [Georgia Code Title 45, Chapter 10 \(2019\) - Codes of Ethics and Conflicts of Interest :: 2019 Georgia Code :: US Codes and Statutes :: US Law :: Justia](#)

§ 45-11-1 Georgia Code § 45-11-1 - Offenses Involving Public Records, Documents, and Other Items.