

STATE OF TEXAS

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~~HARRIS~~ COUNTY Fort Bend

**AFFIDAVIT OF CATHERINE ENGELBRECHT**

Before me, the undersigned authority, on this day personally appeared Catherine Engelbrecht, whose identity is known to me, who under oath states as follows:

1. My name is Catherine Engelbrecht. I am over 18 years of age, of sound mind, and capable of making this affidavit. The facts recited in this affidavit are within my personal knowledge and are true and correct.

2. On December 16th, 2020, I attended a meeting in the office of the Georgia Secretary of State, Brad Raffensperger. Also in attendance were Deputy Secretary of State Jordan Fuchs and General Counsel Ryan Germany of the Secretary of State's office; Brian Robinson, who runs a highly-respected communications firm in Atlanta and who had been retained by True the Vote; and Ben Harbin of Baker Hostetler, who had been retained by True the Vote vendor OpSec Group to help navigate the Georgia political terrain during the weeks following the November 2020 election.

3. Both Robinson and Harbin came with me to the meeting to discuss the Elector Challenge project in which True the Vote was involved. I wanted to discuss the project with Secretary Raffensperger and his team before any public announcement so that (a) our announcement about the sheer number of 364,541 ineligible records, based on address discrepancies, wouldn't take the Secretary's office by surprise, and (b) we could get the Secretary's input on measures that might be taken to minimize the potential strain on individual county resources in sorting this out.

4. We discussed the following:

a. the process that had been used to identify records for persons no longer eligible to vote based on records of permanent residency;

b. how the challenges themselves would be presented, listing the voter's address as shown in the state voter files and the voter's address as it appears in the NCOA and CASS Advanced List Management services;

c. the precautions we had taken, including removing from the list records relating to large sections of military and college campus zip codes;

d. whether or not it would be sufficient to submit challenge-related data to county Boards of Election (with a cover letter and spreadsheet) electronically, given that the Election Code was not clear on this matter, and we were preparing to produce paper copies if necessary;

e. the challenge process, including specific steps that would be taken by the counties upon receipt of the challenges;

f. the frustration of Secretary of State staff with the Fair Fight lawsuit filed against them, which, according to the staff, was limiting the Secretary from conducting necessary voter roll maintenance; and

g. the timing for submission of challenges.

5. I have at least two distinct recollections from this meeting. First, I recall that Ryan Germany described the process of challenging ineligible voter registrations as one that should be “easily managed”. In that regard, he suggested the following process:

a. Each county board would review submitted challenges and vote whether to accept it or to reject them. If the board accepted the challenges, the board would forward the challenge file to the state. The state would send the file to its database management vendor. The vendor would flag challenged records so the record status would be clearly visible to staff. The vendor would then produce and send a list of challenged records back to the county in a format that could be used for easy reference. I understood from his explanation this would be straightforward and not burdensome.

b. When a voter whose record happened to have been challenged voted in the January runoff election, he or she would be asked to show a current government issued ID matching the address shown on his or her voter registration record. If he or she did not have such a current ID at that time, he or she could vote provisionally and would be allotted a specified number of business days by which to come back to the county offices with such a current matching ID, and then the provisional vote would be added to the general vote count. If he or she did not come back to the county offices with the required ID within the prescribed period, then his or her provisional vote would not be added to the general vote count. (Georgia already requires voters to bring ID to the voting location, so this seemed to be a low bar).

c. Similarly, with mail-in ballots, the voter would be notified that their record had been flagged as challenged based on residency and the voter would be asked to provide a current government issued ID with an address matching the address on their voter registration record.

d. The process would not remove records from the official voter roll; nor would it turn anyone away on Election Day.

e. I was left with the impression that Georgia's counties could manage the elector challenge process with limited difficulty.

6. My second distinct recollection relates to my discussion with Secretary Raffensperger.

a. I told him the number of potential residency issues we'd identified, state-wide, was over 364,000, down from over 500,000 permanent changes of address listed in the Postal Service's National Change of Address (NCOA) records.

b. I explained how we had endeavored to remove from the list records corresponding with zip codes for military bases and college campuses, recognizing military personnel and students may have errantly filed a permanent change-of-address form for general purposes when they moved away from home but that they still intended to return to their home county to vote.

c. We were highly concerned about the likely negative fall-out from public disclosure that there were so many inaccuracies in the official voting records. This concern was heightened because we had just emerged from a hotly-contested November 2020 General Election and control of the U.S. Senate hinged on the upcoming January 2021 run-off election.

d. Secretary Raffensperger took out his pen and grabbed a piece of paper, wrote for a few seconds, then said (and here I'm paraphrasing a bit from memory), "Yeah, it should be about that number. Lots of people move every year and they'll still be on the rolls." He went on to discuss how the Secretary's office had been tied up by the Fair Fight lawsuit, lamented how difficult it is to remove ineligible records, and then said something to the effect of, "Anyone can do these Elector Challenges. The G.O.P. should have been doing them all along."

7. We said our goodbyes. I left the meeting unsettled by the seeming indifference the Raffensperger team had shown about their knowledge that the voter rolls had been so markedly

inaccurate during the November election. At that time we did not yet have a copy of the state's published record of voters in the General Election, but because the state uses services like ERIC, which also uses NCOA to identify ineligible records, the Secretary of State's office knew, or should have known, there were hundreds of thousands of potentially ineligible voters casting votes, hence Raffensperger's admonition that "The G.O.P should have been doing this all along."

8. Little more than two weeks later, on January 2, 2021, Secretary Raffensperger and members of his staff had a call with President Trump and members of his team. On that call, President Trump asked about inaccurate voter records. Both Secretary Raffensperger and General Counsel Ryan Germany stated that they had fully evaluated the various claims of election irregularities and said without qualification there was no evidence to support them, including no problems with the voting records. This statement was knowingly false. Both men were well-aware of that falsity at the time.

9. True the Vote has completed a review of the voting patterns relating to those 364,541 records identified as ineligible based on permanent change of residency.

10. In Georgia's November 2020 elections, approximately 67,284 votes were cast that should likely not have been counted because the voters' registrations were ineligible based on permanent change of residency.

a. **Out of County.** 48,207 of those votes corresponded to voters who had moved to a different county within Georgia.

b. **Out of State.** 19,077 of those votes corresponded to voters who no longer lived in Georgia.

11. While we cannot know who voted for which candidate in those ballots that should not have been counted, we do know that the two presidential candidates were separated by only 11,779 votes. It is of great concern that the number of votes for which the address verification requirement was essentially waived in the 2020 General Election could well have been outcome-determinative.

Further Affiant Sayeth Not.

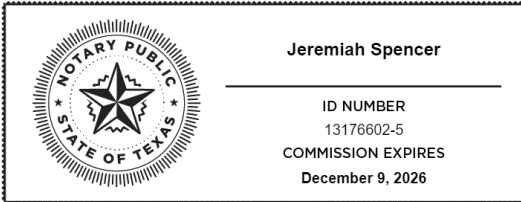
C. Engelbrecht

Catherine Engelbrecht

Subscribed to and sworn before me on this 27<sup>th</sup> day of September, 2023.

Jeremiah

Notary Public in and for the state of Texas



State of Texas

County of Fort Bend

on 09/27/2023 by Catherine Engelbrecht.

Sworn to and subscribed before me

Notarized online using audio-video communication