

FILED IN OFFICE

IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA

SEP 08 2023

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IN RE 2 MAY 2022 SPECIAL PURPOSE
GRAND JURY

CHIEF ALEXANDER
Clerk of Superior Court

2022-EX-000024 Fulton County, Georgia

**ORDER ENTERING SPECIAL PURPOSE GRAND JURY'S FINAL REPORT
INTO COURT RECORD**

On 28 August 2023, the undersigned entered an Order directing that, absent objection, the Special Purpose Grand Jury's final report that sets forth its findings and recommendations to the District Attorney of Fulton County concerning its investigation into possible criminal interference in the 2020 general election in Georgia be entered into the public docket on 8 September 2023. There have been no objections lodged. Therefore, attached to this Order as Exhibit A is the final report, with only the names of the two signatories redacted. The Clerk is directed to make this Order and its attachment available to the public.

SO ORDERED this 8th day of September 2023.

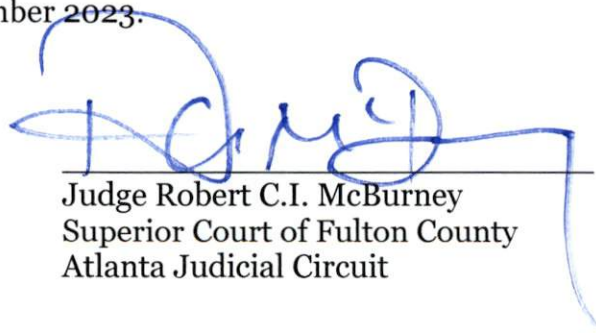

Judge Robert C.I. McBurney
Superior Court of Fulton County
Atlanta Judicial Circuit

EXHIBIT A
to Order of 8 September 2023
2022-EX-000024

SPECIAL PURPOSE GRAND JURY REPORT

This Special Purpose Grand Jury (herein referred to as "the Grand Jury") was impaneled pursuant to an Order dated January 24, 2022 by Christopher S. Brasher, Chief Judge of the Superior Court of Fulton County, Atlanta Judicial Circuit. The Grand Jury consisted of twenty-six Fulton County residents, three of whom were alternates. On any day testimony was received or deliberations were had, the number of jurors present ranged between sixteen and twenty-four as availability allowed. Pursuant to statute, if we had our needed quorum of sixteen jurors present, we could do business with that.

The Grand Jury was impaneled to investigate a specific issue: the facts and circumstances relating directly or indirectly to possible attempts to disrupt the lawful administration of the 2020 presidential elections in the State of Georgia.

This Grand Jury was selected on May 2nd, 2022 and first heard evidence on June 1st, 2022. We continued to hear evidence and receive information into December 2022. The Grand Jury received evidence from or involving 75 witnesses during the course of this investigation, the overwhelming majority of which information was delivered in person under oath. The Grand Jury also received information in the form of investigator testimony and various forms of digital and physical media. Pursuant to Georgia law, a team of assistant district attorneys provided the Grand Jury with applicable statutes and procedures. Any recommendation set out herein is the sole conclusion of the Grand Jury based on testimony presented, facts received, and our deliberations.

Following is the final report of the Special Purpose Grand Jury. We set forth for the Court our recommendations on indictments and relevant statutes, including the votes by the Grand Jurors. This includes the votes respective to each topic, indicated in a "Yea/Nay/Abstain" format throughout. The total number of Grand Jurors who placed a vote on each topic has been indicated in each section. Footnotes have been added in certain places where a juror requested the opportunity to clarify their vote for any reason. Each applicable statute is referenced by citation

1 number. Attached to this document as Appendix A is a complete set of Georgia
2 statutes referenced below.

3 The Grand Jury heard extensive testimony on the subject of alleged election
4 fraud from poll workers, investigators, technical experts, and State of Georgia
5 employees and officials, as well as from persons still claiming that such fraud took
6 place. We find by a unanimous vote that no widespread fraud took place in the
7 Georgia 2020 presidential election that could result in overturning that election.

8 I.

9 With respect to the January 2nd, 2021 phone call from President Trump to
10 Secretary of State Brad Raffensperger, the Grand Jury recommends the District
11 Attorney seek indictments against the following individual(s):

12 Donald Trump

13 Relevant Statutes, including votes (22):

14 O.C.G.A. 16-10-93 (b) 21 Y/1 N/0 A

15 O.C.G.A. 16-10-20 21 Y/1 N/0 A

16 O.C.G.A. 21-2-604 18 Y/1 N/3 A

17 O.C.G.A. 21-2-597 19 Y/1 N/2 A

18 O.C.G.A 16-4-7, criminal solicitation

19 O.C.G.A. 16-10-8 19 Y/1 N/2 A

20 O.C.G.A. 16-10-20 20 Y/1 N/1 A

21 In the same connection, we recommend seeking an indictment against the
22 following individual(s):

23 Cleta Mitchell

24 Relevant Statutes, including votes (18):

25 O.C.G.A. 16-10-93 (b) 18 Y/0 N/0 A

26 O.C.G.A. 16-10-20 18 Y/0 N/0 A

27 O.C.G.A. 21-2-604 18 Y/0 N/0 A

28 O.C.G.A. 21-2-597 18 Y/0 N/0 A

29 O.C.G.A. 16-4-7, criminal solicitation

30 O.C.G.A. 16-10-8 12 Y/5 N/1 A

1 O.C.G.A. 16-10-20 12 Y/5 N/1 A

2

3 II.

4 With respect to the persistent, repeated communications directed to multiple
5 Georgia officials and employees between November of 2020 and January of 2021, the
6 Grand Jury recommends the District Attorney seek indictments against the following
7 individual(s), including votes (18):

8 Donald Trump 17 Y/1 N/0 A

9 Rudy Giuliani 17 Y/1 N/0 A

10 Relevant Statutes:

11 O.C.G.A. 21-2-597

12 O.C.G.A. 16-10-20

13 O.C.G.A. 16-4-7, criminal solicitation

14 O.C.G.A. 16-10-20

15 In the same connection, we recommend seeking an indictment against the
16 following individual(s), including votes (18):

17 David Perdue 16 Y/1 N/1 A

18 Relevant Statutes:

19 O.C.G.A. 16-10-20

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21 III.

22 With respect to the several legislative hearings held before the Georgia
23 legislature in December of 2020 and evidence presented therein, including items such
24 as: the State Farm Arena video, the purported statistics of vote discrepancies, and the
25 allegations of improper conduct by Fulton County election staff; the Grand Jury
26 recommends that the District Attorney seek indictments against the following
27 individual(s), including the votes (21):

28 Rudy Giuliani 19 Y/0 N/2 A

29 Jacki Pick 21 Y/0 N/0 A

30 Robert Cheeley 18 Y/0 N/3 A

1 William Ligon 19 Y/0 N/2 A

2 Relevant Statute(s):

3 O.C.G.A. 16-10-20

4 Upon further consideration¹, relevant statutes including the votes (18):

5 O.C.G.A. 16-10-20.1 17 Y/1 N/0 A

6 In the same connection, we recommend seeking an indictment against the
7 following individual(s):

8 Ray Smith

9 John Eastman

10 Scott Hall

11 Relevant Statute(s)², including the votes:

12 O.C.G.A. 16-10-20 18 Y/0 N/0 A

13 O.C.G.A. 16-10-20.1 17 Y/1 N/0 A

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15 IV.

16 With respect to the harassment of Ruby Freeman, the Grand Jury
17 recommends that the District Attorney seek indictments of the following persons:

18 Trevian Kutti

19 Harrison Floyd

20 Steven Lee

21 Relevant Statute(s) including votes (21), respectively:

22 O.C.G.A. 16-10-93 (b) 20 Y/1 N/0 A

23 20 Y/1 N/0 A

24 20 Y/1 N/0 A

25 O.C.G.A. 16-4-7 21 Y/0 N/0 A

26 21 Y/0 N/0 A

27 21 Y/0 N/0 A

¹ This vote was taken on a different day.

² One juror believes there should be further investigation looking at O.C.G.A. 21-2-604.

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V.

With respect to the gathering of Republican electors at the Georgia State Capitol on December 14th, 2020, and the representations made by as well as documents submitted by that body, the Grand Jury recommends that the District Attorney seek indictments of the following persons, including votes (21):

Cleta Mitchell	18 Y/1 N/2 A
Robert Cheeley	20 Y/1 N/0 A
Ray Smith	17 Y/1 N/3 A
Kurt Hilbert	17 Y/1 N/3 A
Alex Kaufman	18 Y/1 N/2 A
John Eastman	20 Y/1 N/0 A
Kenneth Chesebro	20 Y/1 N/0 A
David Shafer	20 Y/1 N/0 A
<i>Alternate Slate³:</i>	
Joseph Brannan	19 Y/2 N/0 A
Vikki Consiglio	19 Y/2 N/0 A
Carolyn Fisher	19 Y/2 N/0 A
Burt Jones	19 Y/2 N/0 A
Gloria Godwin	19 Y/2 N/0 A
Mark Hennessy	19 Y/2 N/0 A
Mark Amick	19 Y/2 N/0 A
John Downey	19 Y/2 N/0 A
Cathleen Latham	19 Y/2 N/0 A
Brad Carver	19 Y/2 N/0 A
Shawn Still	19 Y/2 N/0 A
C. B. Yadav	19 Y/2 N/0 A

Relevant Statute(s)⁴:

³ The two dissenting jurors believe the electors should not be indicted for doing what they were misled to understand as their civic duty.
⁴ With respect to the alternate slate of electors, O.C.G.A. 16-4-7 would not be applicable.

1 O.C.G.A. 16-10-20.1
2 O.C.G.A. 16-10-20
3 O.C.G.A. 16-9-1
4 O.C.G.A. 16-4-7, criminal solicitation of same
5

6 VI.

7 With respect to the post-November 2020 election events that took place in
8 Coffee County, including access by unauthorized persons to County voting machines
9 and the data contained therein, the Grand Jury recommends that the District Attorney
10 seek indictments of the following person(s):

11 Cathy Latham
12 Misty Hampton
13 Scott Hall
14 Sidney Powell

15 Relevant Statute(s) including votes (21)⁵:

16 O.C.G.A. 16-9-93	21 Y/0 N/0 A
17 O.C.G.A. 21-2-566	21 Y/0 N/0 A
18 O.C.G.A. 21-2-580	18 Y/3 N/0 A
19 O.C.G.A. 21-2-582	18 Y/3 N/0 A

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21 VII.

22 With respect to the national effort to overturn the 2020 presidential election,
23 focused on efforts in Georgia, Arizona, Wisconsin, Michigan, Pennsylvania, and the
24 District of Columbia, the Grand Jury recommends that the District Attorney seek
25 indictments of the following person(s), including votes⁶ (21):

⁵ With respect to the inclusion of the election statutes 21-2-580 and 21-2-582, the three dissenting grand jurors do not believe that the wording of the statutes applies to the conduct at issue.

⁶ One of the dissenting jurors voting against recommending seeking indictments of former Senators Perdue and Loeffler on a RICO claim believes that their statements following the November 2020 election, while pandering to their political base, do not give rise to their being guilty of a criminal conspiracy.

1	Rudy Giuliani	20 Y/1 N/0 A
2	John Eastman	20 Y/1 N/0 A
3	Kenneth Chesebro	20 Y/1 N/0 A
4	Donald Trump	20 Y/1 N/0 A
5	Cleta Mitchell	20 Y/1 N/0 A
6	Jenna Ellis	20 Y/1 N/0 A
7	Mark Meadows	20 Y/1 N/0 A
8	David Shafer	20 Y/1 N/0 A
9	Ray Smith	20 Y/1 N/0 A
10	Lin Wood	20 Y/1 N/0 A
11	Lindsey Graham	13 Y/7 N/1 A
12	Sidney Powell	20 Y/1 N/0 A
13	Robert Cheeley	20 Y/1 N/0 A
14	Michael Flynn	20 Y/1 N/0 A
15	William Ligon	20 Y/1 N/0 A
16	David Perdue	17 Y/4 N/0 A
17	Kelly Loeffler	14 Y/6 N/1 A
18	Cathleen Latham	18 Y/3 N/0 A
19	Misty Hampton	18 Y/3 N/0 A
20	Scott Hall	17 Y/4 N/0 A
21	Boris Epshteyn	20 Y/1 N/0 A
22	Jeff Clark	20 Y/1 N/0 A
23	Kurt Hilbert	19 Y/1 N/1 A
24	Steven Lee	19 Y/2 N/0 A
25	Trevian Kutti	19 Y/2 N/0 A
26	Harrison Floyd	19 Y/2 N/0 A
27	Alex Kaufman	17 Y/3 N/1 A
28	<i>Alternate Slate:</i>	
29	Joseph Brannan	9 Y/9 N/3 A
30	Vikki Consiglio	9 Y/9 N/3 A

1	Carolyn Fisher	9 Y/9 N/3 A
2	Burt Jones	10 Y/8 N/3 A
3	Gloria Godwin	9 Y/9 N/3 A
4	Mark Hennessy	9 Y/9 N/3 A
5	Mark Amick	9 Y/9 N/3 A
6	John Downey	9 Y/9 N/3 A
7	Brad Carver	9 Y/9 N/3 A
8	Shawn Still	9 Y/9 N/3 A
9	C. B. Yadav	9 Y/9 N/3 A

10 Relevant Statute(s):

11 O.C.G.A. 16-4-3 and all relevant subsections

12

13 VIII.

14 A majority of the Grand Jury believes that perjury may have been committed
15 by one or more witnesses testifying before it. The Grand Jury recommends that the
16 District Attorney seek appropriate indictments for such crimes where the evidence is
17 compelling.

18 CONCLUSION

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20 The Grand Jury wishes to acknowledge the hardworking attorneys and staff of
21 the Fulton County District Attorney's office. Any legal errors contained in this report
22 should not be laid at their feet, however, because that Office had nothing to do with
23 the recommendations contained herein.

24 If this report fails to include any potential violations of referenced statutes that
25 were shown in the investigation, we acknowledge the discretion of the District
26 Attorney to seek indictments where she finds sufficient cause. Furthermore, this
27 Grand Jury contained no election law experts or criminal lawyers. The majority of
28 this Grand Jury used their collective best efforts, however, to attend every session,
29 listen to every witness, and attempt to understand the facts as presented and the laws
30 as explained.

1 If the Court finds this report to have satisfied the purpose of the Special
2 Purpose Grand Jury as impaneled, we request that we be formally discharged from
3 our service.

4

5

6 This 15th day of December, 2022

7

8

_____/s/_____
[REDACTED]

9

Foreperson [REDACTED]

10

11

_____/s/_____
[REDACTED]

12

Deputy Foreperson [REDACTED]

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1 **APPENDIX A – O.C.G.A. STATUTES REFERENCED ABOVE**

2 O.C.G.A. § 16-4-7: Criminal solicitation

3 (a) A person commits the offense of criminal solicitation when, with intent that
4 another person engage in conduct constituting a felony, he solicits, requests,
5 commands, importunes, or otherwise attempts to cause the other person to
6 engage in such conduct.

7 (b) A person convicted of the offense of criminal solicitation to commit a felony shall
8 be punished by imprisonment for not less than one nor more than three years. A
9 person convicted of the offense of criminal solicitation to commit a crime
10 punishable by death or by life imprisonment shall be punished by imprisonment
11 for not less than one nor more than five years.

12 (c) It is no defense to a prosecution for criminal solicitation that the person solicited
13 could not be guilty of the crime solicited.

14 (d) The provisions of subsections (a) through (c) of this Code section are cumulative
15 and shall not supersede any other penal law of this state.

16
17 O.C.G.A. § 16-4-8: Conspiracy to commit a crime

18 A person commits the offense of conspiracy to commit a crime when he together
19 with one or more persons conspires to commit any crime and any one or more of such
20 persons does any overt act to effect the object of the conspiracy. A person convicted of
21 the offense of criminal conspiracy to commit a felony shall be punished by
22 imprisonment for not less than one year nor more than one-half the maximum period of
23 time for which he could have been sentenced if he had been convicted of the crime
24 conspired to have been committed, by one-half the maximum fine to which he could
25 have been subjected if he had been convicted of such crime, or both. A person
26 convicted of the offense of criminal conspiracy to commit a misdemeanor shall be
27 punished as for a misdemeanor. A person convicted of the offense of criminal

1 conspiracy to commit a crime punishable by death or by life imprisonment shall be
2 punished by imprisonment for not less than one year nor more than ten years.

3
4 O.C.G.A. § 16-14-3: [State RICO] Definitions

5 As used in this chapter, the term:

- 6 (1) "Civil forfeiture proceeding" shall have the same meaning as set forth in Code
7 Section 9-16-2.
- 8 (2) "Criminal proceeding" means any criminal proceeding commenced by the
9 Department of Law or the office of any district attorney under any provision of
10 this chapter.
- 11 (3) "Enterprise" means any person, sole proprietorship, partnership, corporation,
12 business trust, union chartered under the laws of this state, or other legal
13 entity; or any unchartered union, association, or group of individuals associated
14 in fact although not a legal entity; and it includes illicit as well as licit enterprises
15 and governmental as well as other entities.
- 16 (4) "Pattern of racketeering activity" means:
- 17 (A) Engaging in at least two acts of racketeering activity in furtherance of
18 one or more incidents, schemes, or transactions that have the same or
19 similar intents, results, accomplices, victims, or methods of commission
20 or otherwise are interrelated by distinguishing characteristics and are
21 not isolated incidents, provided at least one of such acts occurred after
22 July 1, 1980, and that the last of such acts occurred within four years,
23 excluding any periods of imprisonment, after the commission of a prior
24 act of racketeering activity; or
- 25 (B) Engaging in any one or more acts of domestic terrorism as described in
26 paragraph (2) of Code Section 16-11-220 or any criminal attempt,
27 criminal solicitation, or criminal conspiracy related thereto.
- 28 (5)

- 1 (A) "Racketeering activity" means to commit, to attempt to commit, or to
2 solicit, coerce, or intimidate another person to commit any crime which
3 is chargeable by indictment under the laws of this state involving:
- 4 (i) Unlawful distillation, manufacture, and transportation of alcoholic
5 beverages in violation of Code Section 3-3-27;
 - 6 (ii) Records and reports of currency transactions in violation of Article
7 11 of Chapter 1 of Title 7;
 - 8 (iii) The "Georgia Uniform Securities Act of 2008" in violation of
9 Chapter 5 of Title 10;
 - 10 (iv) Homicide in violation of Article 1 of Chapter 5 of this title;
 - 11 (v) Assault and battery in violation of Article 2 of Chapter 5 of this
12 title;
 - 13 (vi) Kidnapping, false imprisonment, and related offenses in violation
14 of Article 3 of Chapter 5 of this title;
 - 15 (vii) Prostitution, keeping a place of prostitution, pimping, and
16 pandering in violation of Code Sections 16-6-9 through 16-6-12;
 - 17 (viii) Burglary in violation of Code Section 16-7-1;
 - 18 (ix) Smash and grab burglary in violation of Code Section 16-7-2;
 - 19 (x) Arson and explosives in violation of Article 3 of Chapter 7 of this
20 title;
 - 21 (xi) Bombs, explosives, and chemical and biological weapons in
22 violation of Article 4 of Chapter 7 of this title;
 - 23 (xii) Theft in violation of Article 1 of Chapter 8 of this title;
 - 24 (xiii) Robbery in violation of Article 2 of Chapter 8 of this title;
 - 25 (xiv) Criminal reproduction and sale of recorded material in violation of
26 Article 3 of Chapter 8 of this title;
 - 27 (xv) The "Georgia Residential Mortgage Fraud Act" in violation of
28 Article 5 of Chapter 8 of this title;
 - 29 (xvi) Forgery in any degree in violation of Code Section 16-9-1;
 - 30 (xvii) Illegal use of financial transaction cards in violation of Code
31 Sections 16-9-31, 16-9-32, 16-9-33, and 16-9-34;

- 1 (xviii) Use of an article with an altered identification mark in violation
2 of Code Section 16-9-70;
- 3 (xix) The "Georgia Computer Systems Protection Act" in violation of
4 Article 6 of Chapter 9 of this title;
- 5 (xx) Identity fraud in violation of Article 8 of Chapter 9 of this title;
- 6 (xxi) Bribery in violation of Code Section 16-10-2;
- 7 (xxii) False statements and writings or false lien statements against
8 public officers or public employees in violation of Code Section 16-
9 10-20 or 16-10-20.1;
- 10 (xxiii) Impersonating a public officer or employee in violation of Code
11 Section 16-10-23;
- 12 (xxiv) Attempted murder or threatening of witnesses in official
13 proceedings in violation of Code Section 16-10-32;
- 14 (xxv) Perjury and other related offenses in violation of Article 4 of
15 Chapter 10 of this title;
- 16 (xxvi) Embracery in violation of Code Section 16-10-91;
- 17 (xxvii) Influencing witnesses in violation of Code Section 16-10-93;
- 18 (xxviii) Tampering with evidence in violation of Code Section 16-10-94;
- 19 (xxix) Intimidation or injury of grand or trial juror or court officer in
20 violation of Code Section 16-10-97;
- 21 (xxx) Terroristic threats and acts in violation of Code Section 16-11-37;
- 22 (xxxi) The "Georgia Firearms and Weapons Act" in violation of Part 2 of
23 Article 4 of Chapter 11 of this title;
- 24 (xxxii) Commercial gambling in violation of Code Section 16-12-22;
- 25 (xxxiii) Distributing obscene materials in violation of Code Section 16-12-
26 80;
- 27 (xxxiv) The "Georgia Controlled Substances Act" in violation of Article 2 of
28 Chapter 13 of this title;
- 29 (xxxv) The "Dangerous Drug Act" in violation of Article 3 of Chapter 13 of
30 this title;
- 31 (xxxvi) Marijuana in violation of subsection (j) of Code Section 16-13-30;

- 1 (xxxvii) Payday loans in violation of Chapter 17 of this title;
2 (xxxviii) Insurance fraud in violation of Code Section 33-1-9;
3 (xxxix) Certain felonies involving certificates of title, security interest, or
4 liens in violation of Code Section 40-3-90;
5 (xl) Removal or falsification of identification numbers in violation
6 of Code Section 40-4-21;
7 (xli) Possession of motor vehicle parts from which the identification
8 has been removed in violation of Code Section 40-4-22; or
9 (xlii) Article 8 of Chapter 5 of Title 16, relating to protection of elder
10 persons.
- 11 (B) "Racketeering activity" shall also mean any act or threat involving
12 murder, kidnapping, gambling, arson, robbery, theft, receipt of stolen
13 property, bribery, extortion, obstruction of justice, dealing in narcotic or
14 dangerous drugs, or dealing in securities which is chargeable under the
15 laws of the United States, any territory of the United States, or any state
16 and which is punishable by imprisonment for more than one year.
- 17 (C) "Racketeering activity" shall also mean any conduct defined as
18 "racketeering activity" under 18 U.S.C. Section 1961 (1), any violation of
19 18 U.S.C. Section 1028, or any violation of 31 U.S.C. Sections 5311
20 through 5330.
- 21 (6) "Real property" means any real property situated in this state or any interest in
22 such real property, including, but not limited to, any lease of or mortgage upon
23 such real property.

24 O.C.G.A. § 16-14-3: [State RICO] Prohibited Activities

- 25 (a) It shall be unlawful for any person, through a pattern of racketeering activity or
26 proceeds derived therefrom, to acquire or maintain, directly or indirectly, any
27 interest in or control of any enterprise, real property, or personal property of any
28 nature, including money.

- 1 (b) It shall be unlawful for any person employed by or associated with any enterprise
2 to conduct or participate in, directly or indirectly, such enterprise through a pattern
3 of racketeering activity.
- 4 (c) It shall be unlawful for any person to conspire or endeavor to violate any of the
5 provisions of subsection (a) or (b) of this Code section. A person violates this
6 subsection when:
- 7 (1) He or she together with one or more persons conspires to violate any of
8 the provisions of subsection (a) or (b) of this Code section and any one or
9 more of such persons commits any overt act to effect the object of the
10 conspiracy; or
- 11 (2) He or she endeavors to violate any of the provisions of subsection (a) or (b)
12 of this Code section and commits any overt act to effect the object of the
13 endeavor.
- 14 1. O.C.G.A. § 16-9-1: Forgery; classification of forgery offenses
- 15 (a) As used in this Code section, the term:
- 16 (1) "Bank" means incorporated banks, savings banks, banking companies, trust
17 companies, credit unions, and other corporations doing a banking business.
- 18 (2) "Check" means any instrument for the payment or transmission of money
19 payable on demand and drawn on a bank.
- 20 (3) "Writing" includes, but shall not be limited to, printing or any other method of
21 recording information, money, coins, tokens, stamps, seals, credit cards, badges,
22 trademarks, and other symbols of value, right, privilege, or identification.
- 23 (b) A person commits the offense of forgery in the first degree when with the intent to
24 defraud he or she knowingly makes, alters, or possesses any writing, other than a check,
25 in a fictitious name or in such manner that the writing as made or altered purports to
26 have been made by another person, at another time, with different provisions, or by
27 authority of one who did not give such authority and utters or delivers such writing.
- 28 (c) A person commits the offense of forgery in the second degree when with the intent to
29 defraud he or she knowingly makes, alters, or possesses any writing, other than a check,
30 in a fictitious name or in such manner that the writing as made or altered purports to

- 1 have been made by another person, at another time, with different provisions, or by
2 authority of one who did not give such authority.
- 3 (d) A person commits the offense of forgery in the third degree when with the intent to
4 defraud he or she knowingly:
- 5 (1) Makes, alters, possesses, utters, or delivers any check written in the amount of
6 \$1,500.00 or more in a fictitious name or in such manner that the check as
7 made or altered purports to have been made by another person, at another
8 time, with different provisions, or by authority of one who did not give such
9 authority; or
- 10 (2) Possesses ten or more checks written without a specified amount in a fictitious
11 name or in such manner that the checks as made or altered purport to have
12 been made by another person, at another time, with different provisions, or by
13 authority of one who did not give such authority.
- 14 (e) A person commits the offense of forgery in the fourth degree when with the intent to
15 defraud he or she knowingly:
- 16 (1) Makes, alters, possesses, utters, or delivers any check written in the amount of
17 less than \$1,500.00 in a fictitious name or in such manner that the check as
18 made or altered purports to have been made by another person, at another
19 time, with different provisions, or by authority of one who did not give such
20 authority; or
- 21 (2) Possesses less than ten checks written without a specified amount in a fictitious
22 name or in such manner that the checks as made or altered purport to have
23 been made by another person, at another time, with different provisions, or by
24 authority of one who did not give such authority.
- 25 2. O.C.G.A. § 16-9-93: Computer crimes defined; exclusivity of article; civil
26 remedies; criminal penalties
- 27 (a) **Computer theft.** Any person who uses a computer or computer network with
28 knowledge that such use is without authority and with the intention of:
- 29 (1) Taking or appropriating any property of another, whether or not with the
30 intention of depriving the owner of possession;

- 1 (2) Obtaining property by any deceitful means or artful practice; or
2 (3) Converting property to such person's use in violation of an agreement or other
3 known legal obligation to make a specified application or disposition of such
4 property
5 shall be guilty of the crime of computer theft.
- 6 (b) **Computer Trespass.** Any person who uses a computer or computer network with
7 knowledge that such use is without authority and with the intention of:
8 (1) Deleting or in any way removing, either temporarily or permanently, any
9 computer program or data from a computer or computer network;
10 (2) Obstructing, interrupting, or in any way interfering with the use of a computer
11 program or data; or
12 (3) Altering, damaging, or in any way causing the malfunction of a computer,
13 computer network, or computer program, regardless of how long the alteration,
14 damage, or malfunction persists
15 shall be guilty of the crime of computer trespass.
- 16 (c) **Computer Invasion of Privacy.** Any person who uses a computer or computer network
17 with the intention of examining any employment, medical, salary, credit, or any other
18 financial or personal data relating to any other person with knowledge that such
19 examination is without authority shall be guilty of the crime of computer invasion of
20 privacy.
- 21 (d) **Computer Forgery.** Any person who creates, alters, or deletes any data contained in any
22 computer or computer network, who, if such person had created, altered, or deleted a
23 tangible document or instrument would have committed forgery under Article 1 of this
24 chapter, shall be guilty of the crime of computer forgery. The absence of a tangible
25 writing directly created or altered by the offender shall not be a defense to the crime of
26 computer forgery if a creation, alteration, or deletion of data was involved in lieu of a
27 tangible document or instrument.
- 28 (e) **Computer Password Disclosure.** Any person who discloses a number, code, password,
29 or other means of access to a computer or computer network knowing that such
30 disclosure is without authority and which results in damages (including the fair market
31 value of any services used and victim expenditure) to the owner of the computer or

1 computer network in excess of \$500.00 shall be guilty of the crime of computer
2 password disclosure.

3 (f) **Article not Exclusive.** The provisions of this article shall not be construed to preclude
4 the applicability of any other law which presently applies or may in the future apply to
5 any transaction or course of conduct which violates this article.

6 (g) **Civil Relief; Damages.**

7 (1) Any person whose property or person is injured by reason of a violation of any
8 provision of this article may sue therefor and recover for any damages sustained
9 and the costs of suit. Without limiting the generality of the term, "damages"
10 shall include loss of profits and victim expenditure.

11 (2) At the request of any party to an action brought pursuant to this Code section,
12 the court shall by reasonable means conduct all legal proceedings in such a way
13 as to protect the secrecy and security of any computer, computer network,
14 data, or computer program involved in order to prevent possible recurrence of
15 the same or a similar act by another person and to protect any trade secrets of
16 any party.

17 (3) The provisions of this article shall not be construed to limit any person's right to
18 pursue any additional civil remedy otherwise allowed by law.

19 (4) A civil action under this Code section must be brought within four years after
20 the violation is discovered or by exercise of reasonable diligence should have
21 been discovered. For purposes of this article, a continuing violation of any one
22 subsection of this Code section by any person constitutes a single violation by
23 such person.

24 (h) **Criminal Penalties.**

25 (1) Any person convicted of the crime of computer theft, computer trespass,
26 computer invasion of privacy, or computer forgery shall be fined not more than
27 \$50,000.00 or imprisoned not more than 15 years, or both.

28 (2) Any person convicted of computer password disclosure shall be fined not more
29 than \$5,000.00 or incarcerated for a period not to exceed one year, or both.

1 3. O.C.G.A. § 16-10-8: False official certificates or writings by officers or employees
2 of state and political subdivisions.

3 An officer or employee of the state or any political subdivision thereof
4 or other person authorized by law to make or give a certificate or
5 other writing who knowingly makes and delivers such a certificate or
6 writing containing any statement which he knows to be false shall,
7 upon conviction thereof, be punished by imprisonment for not less
8 than one nor more than five years.

9 4. O.C.G.A. § 16-10-20: False statements and writings, concealment of facts, and
10 fraudulent documents in matters within jurisdiction of state or political
11 subdivisions.

12 A person who knowingly and willfully falsifies, conceals, or covers up
13 by any trick, scheme, or device a material fact; makes a false, fictitious,
14 or fraudulent statement or representation; or makes or uses any false
15 writing or document, knowing the same to contain any false, fictitious,
16 or fraudulent statement or entry, in any matter within the jurisdiction
17 of any department or agency of state government or of the
18 government of any county, city, or other political subdivision of this
19 state shall, upon conviction thereof, be punished by a fine of not more
20 than \$1,000.00 or by imprisonment for not less than one nor more
21 than five years, or both.

22
23 5. O.C.G.A. § 16-10-20.1: Filing false documents.

24 (a) As used in this Code section, the term "document" means information that is inscribed
25 on a tangible medium or that is stored in an electronic or other medium and is
26 retrievable in perceivable form and shall include, but shall not be limited to, liens,
27 encumbrances, documents of title, instruments relating to a security interest in or title
28 to real or personal property, or other records, statements, or representations of fact,
29 law, right, or opinion.

1 (b) Notwithstanding Code Sections 16-10-20 and 16-10-71, it shall be unlawful for any
2 person to:

3 (1) Knowingly file, enter, or record any document in a public record or court of this
4 state or of the United States knowing or having reason to know that such
5 document is false or contains a materially false, fictitious, or fraudulent
6 statement or representation; or

7 (2) Knowingly alter, conceal, cover up, or create a document and file, enter, or
8 record it in a public record or court of this state or of the United States knowing
9 or having reason to know that such document has been altered or contains a
10 materially false, fictitious, or fraudulent statement or representation.

11 (c) Any person who violates subsection (b) of this Code section shall be guilty of a felony
12 and, upon conviction thereof, shall be punished by imprisonment of not less than one
13 nor more than ten years, a fine not to exceed \$10,000.00, or both.

14 (d) This Code section shall not apply to a court clerk, registrar of deeds, or any other
15 government employee who is acting in the course of his or her official duties.

16 6. O.C.G.A. § 16-10-70: Perjury.

17 (a) A person to whom a lawful oath or affirmation has been administered commits the
18 offense of perjury when, in a judicial proceeding, he knowingly and willfully makes a
19 false statement material to the issue or point in question.

20 (b) A person convicted of the offense of perjury shall be punished by a fine of not more
21 than \$1,000.00 or by imprisonment for not less than one nor more than ten years, or
22 both. A person convicted of the offense of perjury that was a cause of another's being
23 imprisoned shall be sentenced to a term not to exceed the sentence provided for the
24 crime for which the other person was convicted. A person convicted of the offense of
25 perjury that was a cause of another's being punished by death shall be punished by life
26 imprisonment.

27 7. O.C.G.A. § 16-10-93: Influencing witnesses.

28 (a) A person who, with intent to deter a witness from testifying freely, fully, and truthfully
29 to any matter pending in any court, in any administrative proceeding, or before a grand
30 jury, communicates, directly or indirectly, to such witness any threat of injury or damage

1 to the person, property, or employment of the witness or to the person, property, or
2 employment of any relative or associate of the witness or who offers or delivers any
3 benefit, reward, or consideration to such witness or to a relative or associate of the
4 witness shall, upon conviction thereof, be punished by imprisonment for not less than
5 one nor more than five years.

6 (b)

7 (1) It shall be unlawful for any person knowingly to use intimidation, physical force,
8 or threats; to persuade another person by means of corruption or to attempt to
9 do so; or to engage in misleading conduct toward another person with intent to:

10 (A) Influence, delay, or prevent the testimony of any person in an official
11 proceeding;

12 (B) Cause or induce any person to:

13 (i) Withhold testimony or a record, document, or other object
14 from an official proceeding;

15 (ii) Alter, destroy, mutilate, or conceal an object with intent to
16 impair the object's integrity or availability for use in an official
17 proceeding;

18 (iii) Evade legal process summoning that person to appear as a
19 witness or to produce a record, document, or other object in an
20 official proceeding; or

21 (iv) Be absent from an official proceeding to which such person has
22 been summoned by legal process; or

23 (C) Hinder, delay, or prevent the communication to a law enforcement
24 officer, prosecuting attorney, or judge of this state of information
25 relating to the commission or possible commission of a criminal
26 offense or a violation of conditions of probation, parole, or release
27 pending judicial proceedings.

28 (2) Any person convicted of a violation of this subsection shall be guilty of a felony
29 and, upon conviction thereof, shall be punished by imprisonment for not less
30 than two nor more than ten years or by a fine of not less than \$10,000.00 nor
31 more than \$20,000.00, or both.

- 1 (A) For the purposes of this Code section, the term "official proceeding"
2 means any hearing or trial conducted by a court of this state or its
3 political subdivisions, a grand jury, or an agency of the executive,
4 legislative, or judicial branches of government of this state or its
5 political subdivisions or authorities.
- 6 (B) An official proceeding need not be pending or about to be instituted
7 at the time of any offense defined in this subsection.
- 8 (C) The testimony, record, document, or other object which is prevented
9 or impeded or attempted to be prevented or impeded in an official
10 proceeding in violation of this Code section need not be admissible in
11 evidence or free of a claim of privilege.
- 12 (D) In a prosecution for an offense under this Code section, no state of
13 mind need be proved with respect to the circumstance:
- 14 (i) That the official proceeding before a judge, court, magistrate,
15 grand jury, or government agency is before a judge or court of
16 this state, a magistrate, a grand jury, or an agency of state or
17 local government; or
- 18 (ii) That the judge is a judge of this state or its political subdivisions
19 or that the law enforcement officer is an officer or employee of
20 the State of Georgia or a political subdivision or authority of the
21 state or a person authorized to act for or on behalf of the State
22 of Georgia or a political subdivision or authority of the state.
- 23 (E) A prosecution under this Code section may be brought in the county
24 in which the official proceeding, whether or not pending or about to
25 be instituted, was intended to be affected or in the county in which
26 the conduct constituting the alleged offense occurred.
- 27 (c) Any crime committed in violation of subsection (a) or (b) of this Code section shall be
28 considered a separate offense.
- 29 8. O.C.G.A. § 21-2-566: Interference with primaries and elections generally.
30 Any person who:

- 1 (1) Willfully prevents or attempts to prevent any poll officer from holding any
- 2 primary or election under this chapter;
- 3 (2) Uses or threatens violence in a manner that would prevent a reasonable poll
- 4 officer or actually prevents a poll officer from the execution of his or her duties
- 5 or materially interrupts or improperly and materially interferes with the
- 6 execution of a poll officer's duties;
- 7 (3) Willfully blocks or attempts to block the avenue to the door of any polling place;
- 8 (4) Uses or threatens violence in a manner that would prevent a reasonable elector
- 9 from voting or actually prevents any elector from voting;
- 10 (5) Willfully prepares or presents to any poll officer a fraudulent voter's certificate
- 11 not signed by the elector whose certificate it purports to be;
- 12 (6) Knowingly deposits fraudulent ballots in the ballot box;
- 13 (7) Knowingly registers fraudulent votes upon any voting machine; or
- 14 (8) Willfully tampers with any electors list, voter's certificate, numbered list of
- 15 voters, ballot box, voting machine, direct recording electronic (DRE) equipment,
- 16 electronic ballot marker, or tabulating machine
- 17 shall be guilty of a felony and, upon conviction thereof, shall be sentenced to
- 18 imprisonment for not less than one nor more than ten years or to pay a fine not
- 19 to exceed \$100,000.00, or both.
- 20 9. O.C.G.A. § 21-2-580: Tampering with, damaging, improper preparation of, or
- 21 prevention of proper operation of voting machines or electronic ballot markers
- 22 or tabulating machines.
- 23 Any person who:
- 24 (1) Unlawfully opens, tampers with, or damages any voting machine or electronic
- 25 ballot marker or tabulating machine to be used or being used at any primary or
- 26 election;
- 27 (2) Willfully prepares a voting machine or an electronic ballot marker or tabulating
- 28 machine for use in a primary or election in improper order for voting; or
- 29 (3) Prevents or attempts to prevent the correct operation of such electronic ballot
- 30 marker or tabulating machine or voting machine

1 shall be guilty of a felony.

2

3 10. O.C.G.A. § 21-2-582: Tampering with, damaging, or preventing of proper
4 operation of direct recording electronic equipment or electronic ballot marker or
5 tabulating machine or device.

6 Any person who tampers with or damages any direct recording electronic
7 (DRE) equipment or electronic ballot marker or tabulating machine or device
8 to be used or being used at or in connection with any primary or election or
9 who prevents or attempts to prevent the correct operation of any direct
10 recording electronic (DRE) equipment or electronic ballot marker or
11 tabulating machine or device shall be guilty of a felony.

12

13 11. O.C.G.A. § 21-2-597: Intentional interference with performance of election
14 duties.

15 Any person who intentionally interferes with, hinders, or delays or attempts
16 to interfere with, hinder, or delay any other person in the performance of any
17 act or duty authorized or imposed by this chapter shall be guilty of a
18 misdemeanor.

19

20 12. O.C.G.A. § 21-2-604: Criminal solicitation to commit election fraud; penalties.

21 (1) A person commits the offense of criminal solicitation to commit election fraud
22 in the first degree when, with intent that another person engage in conduct
23 constituting a felony under this article, he or she solicits, requests, commands,
24 importunes, or otherwise attempts to cause the other person to engage in such
25 conduct.

26 (2) A person commits the offense of criminal solicitation to commit election fraud
27 in the second degree when, with intent that another person engage in conduct
28 constituting a misdemeanor under this article, he or she solicits, requests,
29 commands, importunes, or otherwise attempts to cause the other person to
30 engage in such conduct.

- 1 (b)
- 2 (1) A person convicted of the offense of criminal solicitation to commit election
- 3 fraud in the first degree shall be punished by imprisonment for not less than
- 4 one nor more than three years.
- 5 (2) A person convicted of the offense of criminal solicitation to commit election
- 6 fraud in the second degree shall be punished as for a misdemeanor.
- 7 (c) It is no defense to a prosecution for criminal solicitation to commit election fraud that
- 8 the person solicited could not be guilty of the crime solicited.
- 9 (d) The provisions of subsections (a) through (c) of this Code section are cumulative and
- 10 shall not supersede any other penal law of this state.
- 11
- 12

Addendum to Special Purpose Grand Jury Final Report

The undersigned Special Purpose Grand Jury Foreperson and Deputy Foreperson hereby make this Addendum to the Special Purpose Grand Jury Final Report to clarify two matters:

1. Before its dissolution, the Special Purpose Grand Jury voted to recommend that the Special Purpose Grand Jury Final Report be published. The Special Purpose Grand Jury did not recommend a manner or time for such publication.
2. At no time were 24 or more jurors present when evidence was received. 24 jurors, including alternates, were present only at an introductory meeting at the Fulton County Courthouse on May 12, 2022.



Foreperson



Deputy Foreperson