



Chatham County Board of Elections
1117 Eisenhower Drive, Suite F
Savannah, Georgia 31406

August 4, 2026

Dear Chatham County Board of Registrars:

On behalf of Campaign Legal Center (“CLC”), we write to inform you about a potential violation of Georgia law regarding the County’s assistance from ELLY,¹ a software program formerly known as Eagle AI, for software and other services related to the maintenance of the County’s voter registration lists.

CLC is a non-partisan, non-profit organization that works to protect and strengthen the U.S. democratic processes across all levels of government through litigation, policy analysis, and public education. CLC has provided expert legal and policy analysis on democracy issues to legislative and rulemaking bodies across the country, and has litigated campaign finance, government ethics, voting rights, and redistricting cases in numerous jurisdictions, including Georgia.

As detailed further below, Chatham County’s assistance from ELLY may violate Georgia’s ban on the use of non-public funds for election-related services insofar as the County has accepted election-related services from ELLY, vis a vis the Georgia State Elections Board (SEB).

Legal Background

In 2023, Georgia enacted Senate Bill 222, which prohibits county or municipal government employees, including election workers, from “solicit[ing], tak[ing], or otherwise accept[ing] from any person a contribution, donation, service, or anything else of value for the purpose of conducting primaries or elections or in support of performing his or her duties” under the Georgia Election Code.² Violating this restriction is a felony.³

S.B. 222 further instructs that “[n]o superintendent, county, or municipality shall take or accept any grants or gifts for purposes of administering [Georgia’s election laws] from any source other than the State of Georgia or the federal government.”⁴ All election-related costs and expenses “shall be paid from lawfully appropriated public funds.”⁵

¹ *ELLY and Psephos: How Eagle AI Rebranded—and Continues to Fuel Error-Prone Voter Challenges*, Campaign Legal Center (Aug. 4, 2026), <https://campaignlegal.org/document/elly-and-psephos-how-eagle-ai-rebranded-and-continues-fuel-error-prone-voter-challenges>

² Ga. Code Ann. § 21-2-18(c).

³ *Id.* at § (e).

⁴ Ga. Code Ann. 21-2-71(b).

⁵ Ga. Code Ann. § 21-2-18 (b).

The Election Code also authorizes the Secretary of State to “obtain regular information from [a nongovernmental] entity regarding electors who may have moved to another state, died, or otherwise become ineligible to vote in Georgia” and to use “such information to conduct list maintenance on the list of eligible electors.”⁶ This process, however, is government-directed—the Secretary of State controls the process and uses the information for official list maintenance that the state itself conducts, rather than the outside organization having any direct submission authority to counties.⁷ Additionally, “the membership of the nongovernmental entity shall be composed *solely of election officials of state and territorial governments of the United States*, except that such membership may also include election officials of the District of Columbia.”⁸

Ultimately, counties may not accept election-related services at below-market rates—or even receive the good or service at no charge—consistent with Georgia’s prohibition on accepting any “donation or service, or anything else of value for the purpose of conducting primaries or elections...” if those lists were received unlawfully by the State.⁹

Factual Background

The voter-roll analysis system originally known as EagleAI Network was developed by Georgia activist John W. “Rick” Richards Jr. It has now morphed into two new platforms aimed at different parts of the election system: ELLY (The Elector List) and Psephos. EagleAI was supported by the “Election Integrity Network,” an organization led by Cleta Mitchell, an attorney who helped lead the unsuccessful efforts to overturn the 2020 election results in Georgia and other states.¹⁰

Georgia Elections Director, Blake Evans, who also served as the center’s chair from 2024 to 2025, expressed skepticism about the software formerly known as EagleAI, stating that “they’re using the things that we already have access to, and that we’re already doing...there wouldn’t be any kind of value added from going out and using a resource like that.”¹¹ Moreover, Georgia is still a member of the Electronic Registration Information Center (“ERIC”), which Secretary

⁶ Ga. Code Ann. § 21-2-232(b)(3).

⁷ *See id.*

⁸ Ga. Code Ann. § 21-2-225(d)(1) (emphasis added).

⁹ 21-2-18(c).

¹⁰ *See Meet “Eagle AI,” the Cleta Mitchell-Backed MAGA Mass Voter Challenge Program*, Documented (Aug. 17, 2023), <https://documented.net/investigations/meet-eagle-ai-the-cleta-mitchell-backed-project-for-maga-activists-to-file-mass-voter-challenges> (updated Mar. 7, 2024); *Cleta Mitchell’s “Election Integrity Network” and Its Attack on Voting Rights*, Documented (May 8, 2023) <https://documented.net/investigations/the-conservative-partnership-institutes-election-integrity-network-attack-on-voting-rights>

¹¹ *Id.*

Raffensperger has described as the “only group capable of detecting double voting across state lines.”¹²

Eagle AI purchased data from a variety of public and private sources to create a database that flagged certain voter registrations for review.¹³ The platform described itself as “the tool of reckoning across the nation for use at all levels of Election Roster validation, maintenance and review,” by offering software for “testing, auditing and maintaining the validity of voter registrations.”¹⁴ The software was primarily used by activists to file challenges to voter eligibility, but the group had also been seeking contracts with state and county election officials.¹⁵ Eagle AI was panned for producing incorrect data and that it routinely flagged “false positives.”¹⁶

In December of 2023, Columbia County, Georgia entered into a contract with Eagle AI to review voter challenges and conduct list maintenance activities.¹⁷ The *Atlanta Journal Constitution* reported that Columbia County would pay \$2,000 per year for its use of the Eagle AI software.¹⁸ Eagle AI was initially planning on offering the software for free to Columbia County, but elected to charge a “nominal” fee in light of S.B. 222.¹⁹ Ultimately, the contract was never signed after American Oversight and CLC notified state officials this was in violation of S.B. 222.²⁰

The new platform, ELLY, is marketed primarily to county election officials, particularly those with limited resources for voter-roll maintenance, as well as individual citizens so that they can conduct their own independent “reviews” of voter registration lists and flag them for review

¹² Maya Homan, *Will Georgia join a GOP-led state exodus from a multistate voter accuracy group?*, Georgia Recorder (Oct. 21, 2025) <https://georgiarecorder.com/2025/10/21/will-georgia-join-a-gop-led-state-exodus-from-a-multistate-voter-accuracy-group/>.

¹³ Jane Timm, *Inside the right’s effort to build a voter fraud hunting tool*, NBC NEWS (Aug. 17, 2023), <https://www.nbcnews.com/politics/2024-election/conservatives-voter-fraud-hunting-tool-eagleai-cleta-mitchell-rca9732>.

¹⁴ Meet “Eagle AI,” the Cleta Mitchell-Backed MAGA Mass Voter Challenge Program, DOCUMENTED (Aug. 17, 2023), <https://documented.net/investigations/meet-eagle-ai-the-cleta-mitchell-backed-project-for-maga-activists-to-file-mass-voter-challenges>.

¹⁵ *Id.*; Timm, *supra* note 13.

¹⁶ Alexandra Berzon & Nick Corasaniti, *Georgia County Signs Up to Use Voter Database Backed by Election Deniers*, N.Y. TIMES (Dec. 1, 2023), <https://www.nytimes.com/2023/12/01/us/politics/georgia-county-election-deniers-trump.html> (“Georgia state officials, who reviewed the EagleAI presentations, have found them riddled with errors and said the tools were unnecessary, according to documents provided by the groups American Oversight and Documented.”); Caleb Groves, *Cobb County elections board rejects EagleAI-based voter challenges*, AJC (Aug. 5, 2024) <https://www.ajc.com/politics/cobb-elections-board-rejects-eagleai-based-voter-challenges/OMPU5WSC4NHPXANMECH45ZBRE4/>.

¹⁷ *Id.*

¹⁸ Mark Niesse, *Private Voter Verification Tech Approved in Republican Columbia County*, ATLANTA JOURNAL-CONSTITUTION (Dec. 14, 2023), <https://www.ajc.com/politics/georgia-county-agrees-to-use-eagleai-to-check-voter-registrations/EIEPKQOIDFG5JMZNUETJV7267>.

¹⁹ Election Integrity Network, *Recording of the March 23, 2023 Meeting of the Technology Working Group*, (Mar. 23, 2023), https://drive.google.com/file/d/1qIBuVVfRyJOUpdKjeE0U197ML3_lxNMQ/view (at 29:54 - 31:09).

²⁰ See CLC Notice letter to Secretary Raffensperger and state election officials, *Re: Columbia County, GA’s Pending Contract with EagleAI* (Mar. 8, 2024).

by election officials.²¹ Psephos is geared to state-level officials and led by Richards' son, according to promotional materials in emails with state government officials.²² The website for ELLY boasts about how it “brings local citizens together with their election officials to make voter rolls more accurate.”²³ ELLY contains a lookup tool for an individual to ostensibly check where they are registered and check registrations at their address.²⁴ A donation button encourages supporters to “invest in America” by giving money to Valid Vote, the associated 501(c)3 that was supported by Cleta Mitchell's law firm.²⁵

ELLY, like EagleAI, suffers from the same limited data sources that generate false positives and erroneously flag eligible voters.²⁶ ELLY aggregates voter registration data and data from USPS National Change of Address (NCOA) records, property tax and classification records, obituary and death notices, and mapping and property databases such as Google and Zillow, in order to build a dashboard, purportedly for the purposes of verifying voter registration.²⁷ ELLY flags voters whose name appears on an NCOA list, or who are registered at a nonresidential address like a Post Office. The publicly available data which ELLY exclusively uses, is less reliable than the personal, protected information government entities have access to maintain voter rolls, such as Social Security and driver's license numbers.²⁸

In a March 18, 2026 media appearance, the founder of ELLY/Eagle AI claimed that every county election official would be provided with free credentials to access ELLY.²⁹ Across multiple media appearances, Richards encouraged activists to cultivate relationships with “friendly” election officials and quietly provide them with lists of ELLY-identified voters they believed should be removed from the rolls, while reserving formal voter challenges for “those that are not friendly.”³⁰

During that same March 2026 presentation, Richards explained:

“We won't have to submit challenges anymore to the friendlies; we just send them this, take them a spreadsheet, take them some coffee and donuts, take them about 50 cases...then go back the second time, they'll ask you how you got it, you tell

²¹ Jane C. Timm, *Conservative voter fraud hunters pitch new computer programs to state officials*, NBC News (Mar. 18, 2026) <https://www.nbcnews.com/politics/elections/conservative-voter-fraud-hunters-pitch-new-programs-state-officials-rcna263738>.

²² *Id.*

²³ Elly, [The Elector List](#) (last visited July 28, 2026).

²⁴ *Id.*

²⁵ *Id.*

²⁶ Timm, *supra* note 13.

²⁷ *Id.*

²⁸ Timm, *supra* note 21.

²⁹ Live on QNP, *Stern American Election Integrity in Action Call* (Mar. 18, 2026).

³⁰ *Id.*

them you got this program, would they like credentials?” He added, “You don’t need to do challenges unless they fail to react to the data you give them.”³¹

Richards also suggested that members of the public, including “citizen journalists,” use ELLY to investigate addresses associated with multiple voter registrations.³² According to ELLY’s materials, “approved” volunteers—potentially including the same Election Integrity Network activists who had been using Eagle AI—can review flagged voter registrations alongside supporting documentary evidence and prepare records for review by election officials.³³

In March 2026 American Oversight discovered that the Georgia State Elections Board (SEB) met with Richards to discuss ELLY and its applications and then presented those tools at their Board Meeting on March 18, 2026.³⁴ The SEB then sent letters to Georgia counties with lists of votes that had been flagged as ineligible by ELLY.³⁵

Ann Dover, the Cherokee County Elections Director, tested the product and found that it was heavily infected with errors.³⁶ In her email to the SEB, she said “the voting history data in ELLY is consistently incorrect.”³⁷ In one instance, she identified the program had listed the spouse of a county board member as deceased even though that individual is alive.³⁸

Nonetheless, the SEB sent these letters to various counties with allegedly identified potential ineligible voters. In June 2026, SEB Investigator Larry Duckworth sent the Chatham County Board of Registrars spreadsheets of about 220 voter registrations identified by ELLY that Duckworth deemed “questionable.”³⁹ Seemingly, ELLY was the only basis for his concerns, since no other justification was provided. In late July, State Election Board Investigator Jason Frazier from Fulton County, presented ELLY at a county election board meeting in Chatham County.⁴⁰ The Chatham County Board of Registrars will meet in early August to decide whether to remove the voters from the rolls who do not respond to their letter.

³¹ *Id.*

³² *Id.* at (2:25:12)

³³ Timm, *supra* note 21.

³⁴ American Oversight, *Exclusive: State Officials Meeting with Election-Denier Linked EagleAI Founder on NEW Voter Roll Purge Tools* (Mar. 18, 2026) <https://americanoversight.org/exclusive-state-officials-meeting-with-election-denier-linked-eagleai-founder-on-new-voter-roll-purge-tools/>.

Georgia State Election Board Meeting (Mar. 18, 2026) <https://sos.ga.gov/sites/default/files/2026-03/AGENDA%20March%2018%2C%202026%20SEB%20Meeting.pdf>.

³⁵ Caleb Groves, *Georgia election board promotes new voter-roll tool ahead of midterms*, AJC (July 23, 2026) https://www.ajc.com/politics/2026/07/georgia-election-board-promotes-new-voter-roll-tool-ahead-of-midterms/?gift_article_code=ZDNNbDJxSDQwWEhITjhZNWpDMXRKSkmLVE5dnV5ZHpuNXMxRHktQVRrazoxNzg3NDA3OTk3OmIzNmU3ODY2ZTk5ZGJjZjk&utm_campaign=articlegifting.

³⁶ *See id.*

³⁷ *Id.*

³⁸ *Id.*

³⁹ *Id.*

⁴⁰ *Id.*

Analysis

Georgia law assigns the responsibility of voter list maintenance to the Secretary of State, not the SEB.⁴¹ Specifically, Georgia law directs the SEB to: (1) promulgate rules and regulations to obtain uniformity in the practices of election officials and to ensure “the legality and purity in all primaries and elections;” (2) investigate, or authorize the Secretary of State to investigate, “the administration of primary and election laws and frauds and irregularities in primaries and elections;” and (3) “[t]o take such other action, consistent with law, as the board may determine to be conducive to the fair, legal, and orderly conduct of primaries and elections.”⁴² While this last provision grants broad authority, it is expressly limited to actions “consistent with law” — meaning the SEB cannot use it to assume operational functions that the Georgia Election Code has specifically assigned to other officials.⁴³ Therefore, because flagging potentially ineligible voters is effectively list maintenance, SEB had no authority to send the letters to the counties. And, to the extent that the SEB is purporting to direct counties to use these lists for list maintenance, it has no authority to do so.

It is the Secretary of State who should receive information about potentially ineligible voters and transmit the names of such persons to the appropriate county boards of registrars.⁴⁴ For example, the Georgia Election Code law assigns the Secretary of State the responsibility of receiving out-of-state registration cancellations and direct that information to county registrars.⁴⁵ The Secretary of State also maintains the official statewide voter registration list.⁴⁶ In other words, the SEB plays no direct role in list maintenance. Furthermore, the Secretary of State shall only receive this information from a nongovernmental entity composed “solely of election officials of state and territorial governments,” a requirement ELLY does not meet.⁴⁷

Although the SEB does not itself submit voter eligibility lists to counties, it plays an important enforcement role in ensuring that counties comply with their voter list maintenance obligations.⁴⁸ Georgia law provides that “failure to comply with the provisions of this Code section by the board of registrars shall subject such board to sanctions by the State Election Board.”⁴⁹ However, SEB has no authority to send to county boards a list of individuals flagged in ELLY—a duty specifically assigned to the Secretary of State.

⁴¹ § 21-2-232(b)(3)

⁴² § 21-2-31.

⁴³ *See id.*

⁴⁴ *See* § 21-2-231(a).

⁴⁵ § 21-2-232(a)(3).

⁴⁶ § 21-2-31(a)(14).

⁴⁷ § 21-2-225(d)(1).

⁴⁸ Ga. Code Ann. § 21-2-230(j)(West 2026)

⁴⁹ *Id.*

Additionally, even if SEB did have the authority to send to the counties a list of potentially ineligible individuals (it does not), if the voter eligibility lists themselves were not obtained through lawful means, the state cannot require counties to take action based on that unlawfully obtained information. Here, information provided by ELLY is not lawfully obtained because it is not derived from a nongovernmental organization consisting of election officials. Because ELLY is not “composed solely of election officials as required by law,”⁵⁰ it is not authorized to assist the Secretary of State with voter list maintenance.

Lastly, S.B. 222 prohibits election officials from taking or using a donation or service to assist in the performance of their duties, except for goods or services that have a nominal value of less than \$500.⁵¹ ELLY previously charged Columbia County \$2,000 for creating the same kinds of lists that Chatham County is now using to challenge the eligibility of voters.⁵² Yet ELLY’s platform is now being offered to these counties for no charge, apparently to “get past” S.B. 222’s requirements.⁵³ Even still, S.B. 222 clearly instructs counties to not accept any contribution of any value except from the state. Since the SEB was not authorized to accept this service from a nonqualifying nongovernmental organization, the county was not authorized to use this donated service to notify voters regarding their eligibility.

Conclusion

Accordingly, because the lists originated from an organization that is not legally permitted to assist with list maintenance, and because Georgia law provides that no county or municipal government employees, including election officials “shall take or accept any grants or gifts for purposes of administering [Georgia’s election laws] from any source other than the State of Georgia or the federal government,”⁵⁴ Chatham County should not have relied on these lists to notify voters of potential eligibility concerns. If these facts are established, the County’s reliance on the lists would have been inconsistent with Georgia election law.

Thank you for your attention to this matter.

Respectfully,

Jonathan Diaz
Valencia Richardson
Alex Goldberg

⁵⁰ § 21-2-225(d)(1).

⁵¹ Ga. Code Ann. 21-2-18(d).

⁵² See Niesse, *supra* note 18.

⁵³ See Election Integrity Network, Recording of the March 23, 2023 Meeting of the Technology Working Group, (Mar. 23, 2023), https://drive.google.com/file/d/1qIBuVVfRyjOUpdKjeE0U197ML3_lxNMQ/view (at 29:54 - 31:09) (Because we are trying to get the billionaire left wing money and services out of county election boards. I think you’re going to have to charge them something. \$250. I mean, that way you get past, you get past the issue of the bill....”).

⁵⁴ § 21-2-71(b).



Campaign Legal Center
1101 14th Street NW, Suite 400
Washington, DC 20005
jdiaz@campaignlegalcenter.org
vrichardson@campaignlegalcenter.org