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*Four pages delivered by email and posted to my blog.*

Dear Coffee County Commissioners<sup>1</sup>, Board of Elections and Registration<sup>2</sup>, Coffee County election supervisor Christy Nipper, Coffee County Administrator Wesley Vickers, Coffee County and/or elections board legal representation<sup>3</sup>, and Douglas Now editor Robert Preston

I'm a freelance investigative journalist who has spoken or corresponded with some of you before.

Today I write to alert you to the Dec. 19 publication of my latest article<sup>4</sup> by the *Daily Dot*, a news outlet founded in 2011 in Austin, in my original home state of Texas. Last year, in March, the *Texas Observer* published my lengthy essay about election security whistleblower Reality Winner. In so doing, I learned of the Coffee County, Georgia elections office intrusions and the larger plot<sup>5</sup> of which it has been a part, namely the Trump<sup>6</sup> campaign, shortly before surrendering the White House in 2021, sending<sup>7</sup> technicians, in lieu of law enforcement or soliders, to intrude on county election offices across the U.S. Since the battleground state of Georgia uses the same Dominion Voting Systems software statewide, the same breached Democracy Suite 5.5-A version<sup>8</sup>, all 159 Georgia counties are affected; meanwhile, from coast to coast, the Trump scheme apparently led to breaches of almost a dozen<sup>9</sup> county election offices total—that we know of.

As you are aware, in October, Georgia activist Donna Curling and the watchdog nonprofit Coalition for Good Governance sued<sup>10</sup> the Coffee County Board of Elections and Registration (CCBOER) in federal

1 Ted O'Steen, AJ Dovers, Oscar Paulk, Jimmy Kitchens, Johnny Wayne Jowers

2 Andy Thomas, Paula Scott, Bobby Tanner, Ernestine Thomas-Clark, Matthew McCullough

3 Jennifer Herzog and Tony Rowell of Hall Booth Smith; Ben Perkins and Wes Rahn of Oliver Maner

4 <https://www.dailydot.com/news/missing-laptop-trump-case-georgia/>

5 [https://freespeechforpeople.org/wp-content/uploads/2023/04/doj.sp\\_.coffee.j6.4.18.23.pdf](https://freespeechforpeople.org/wp-content/uploads/2023/04/doj.sp_.coffee.j6.4.18.23.pdf)

6 <https://www.nytimes.com/2023/04/21/us/trump-voting-software-2020-election.html>

7 In at least several of the instances.

8 <https://bradblog.com/?p=14711>

9 [https://douglaslucas.com/files/CurlingVRaffensperger\\_KevinSkoglundDeclaration\\_5December2022.pdf](https://douglaslucas.com/files/CurlingVRaffensperger_KevinSkoglundDeclaration_5December2022.pdf)

10 <https://www.courtlistener.com/docket/67931636/coalition-for-good-governance-v-coffee-county-board-of-elections-and/>

court seeking enforcement of their pair of mid-2022 subpoenas that demand production of copious records pertaining to the January 2021 Coffee elections breach, its run-up, and its aftermath, perhaps most memorably the (contents of the) silver Hewlett Packard laptop used by former election supervisor Misty Hampton. That is the matter addressed by my article, titled "Exclusive: A missing laptop could be key to prosecuting Trump. This rural Georgia county only recently admitted that it exists" with the subtitle "The device may contain evidence about the infamous breach of Coffee County's election system."

Especially given its publication right before the winter holidays, my article might have escaped your notice. Here are three new revelations from it that you might particularly want to consider discussing and taking knowledgeable action on. (I also wrote a blog post<sup>11</sup>, self-published on Dec. 19, to accompany my *Daily Dot* piece upon its release since my blog post offers some additional important material cut from the article due to length considerations, such as surveillance images and discussion of senior county lawyer Tony Rowell in the elections office shortly before the first intrusion, meeting variously with soon-to-be-breachers Misty Hampton, Eric Chaney, Ed Voyles and Cathy Latham; Voyles and Latham were not his clients.)

1. At a telephonic court hearing on Nov. 22<sup>12</sup>, Oliver Maner attorney Wes Rahn, CCBOER counsel, addressed the matter of sworn declarations that the plaintiffs hoped would reveal each proposed declarants' knowledge or lack of knowledge about the silver laptop Misty Hampton used for years. The proposed declarants were county administrator Wesley Vickers, senior county lawyer Tony Rowell, and Charles Dial, the head of Southeast Georgia Computer Consulting & Engineering, Coffee County's longtime IT contractor. CCBOER counsel told federal judge Benjamin W. Cheesbro that (through its counsel) your board of elections had requested sworn declarations from the three men, including Charles Dial. Presumably operating under the assumption that such assertions from CCBOER counsel were true, Judge Cheesbro wrote in a [Nov. 28 order](#) that "Defendant has relayed the declaration requests." Judge Cheesbro was unaware that on that same day, as my article documents, I called Charles Dial. To quote my article, Dial "told the *Daily Dot* in a Nov. 28 telephone conversation that he wasn't aware of the request for a sworn declaration. Before deferring further questions to Coffee County's open records office, he said, 'I have no recollection, I have nothing on that, I don't even know what you're talking about, honestly.'" Were the declaration requests really relayed? Given Dial's complete surprise at the entire concept of a sworn declaration, it seems not. But if so, then what underlying evidence rigorously documents that the requests were really relayed, as opposed to counsel simply asserting to the federal judge that they were—only to be contradicted, when I called him, by Dial, one of the proposed declarants himself?

2. At a telephonic court hearing on Nov. 15<sup>13</sup>, Oliver Maner attorney Ben Perkins, counsel for CCBOER, hypothesized to Judge Cheesbro that maybe, the missing silver laptop belongs to the Secretary of State, not Coffee County. This is a textbook example of a government research question for which it's easy to pursue evidentiary answers. As my article explains: "if the laptop were Georgia's property, the county could obtain it or documentation confirming its ownership, such as an

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11 <https://douglaslucas.com/blog/2023/12/19/extra-material-dailydot-investigative-article-laptop/>

12 <https://storage.courtlistener.com/recap/gov.uscourts.gasd.91723/gov.uscourts.gasd.91723.28.0.pdf>

13 [https://storage.courtlistener.com/recap/gov.uscourts.gasd.91723/gov.uscourts.gasd.91723.23.0\\_1.pdf](https://storage.courtlistener.com/recap/gov.uscourts.gasd.91723/gov.uscourts.gasd.91723.23.0_1.pdf)

inventory form or purchase receipt. The Secretary of State's Office told<sup>14</sup> the Daily Dot on Nov. 28 that they do 'not have records responsive to this request' for inventory or purchase documents concerning the silver laptop." Beyond the simple fact that the Secretary of State told me something contradicting a theory that Mr Perkins gave the federal judge on your behalf, consider the disparity between an expensive lawyer speculating about the Secretary of State's inventory, and a faraway freelancer determining the truth of the matter with a few quick emails to the Secretary of State's open records staff. Given statements about wanting to conserve financial resources, made by elections board members and members of the public attending board meetings, asking Mr Perkins how he did or did not advance his theory that maybe the Secretary of State owns the silver laptop beyond the stage of mere speculation to the stage of documentation, the stage of evidence, seems in order. Legally speaking, Mr Perkins was permitted to speculate in court about the laptop's location, but it boggles the mind that the emphasis has so consistently been on merely producing hypotheticals rather than the hard work need to prove them true or false. For example, if Mr Perkins actually did file an open records request with the Secretary of State seeking any inventory records they might have on the missing laptop, what is that request's tracking number<sup>15</sup>?

3. My article includes not only a new quote from your elections board member Ms Ernestine Thomas-Clark, but also new information on the silver laptop from former election supervisor James Barnes, who succeeded Misty Hampton. My article explains how prior to its publication, "Coffee County's chief timeline for the silver laptop [was] that in February 2021, Hampton quit and left with it[, and that] reinforces recently resigned elections chair Wendell Stone's June 2023 [public] statement<sup>16</sup>, which almost exclusively blamed Hampton" for the breach, a single fall guy strategy. However, the statements I obtained from Ms Thomas-Clark and James Barnes (his was paraphrased with his approval rather than directly quoted), taken "together contradict two of the county's claims: that the silver laptop was Hampton's personal property and that it disappeared when she resigned." Their statements taken together imply very strongly that the laptop was county property and that it disappeared, not in February 2021 as the CCBOER counsel repeatedly claimed, but sometime in December 2021, just after Barnes' resignation early that month. *Where is the laptop?*

You might also be aware that on Dec. 22, the federal judge overseeing your case issued an order<sup>17</sup> saying, among other things, that the three men—Wesley Vickers; Tony Rowell; Charles Dial—do not have to sit for depositions or provide sworn declarations, at least not as of that Dec. 22 order. Given the dates, I assume that Judge Cheesbro was unaware of my article documenting (among other things) my phone call with Dial, whose surprise again, shows that, contrary to Judge Cheesbro's belief based on CCBOER counsel statements to him, Dial was unaware of any declaration request.

In his Dec. 22 order, Judge Cheesbro invited the plaintiffs to file a motion for sanctions. That creates the possibility that the plaintiffs will recover significant monetary reimbursement due to CCBOER and its attorneys improperly withholding records. It also might permit more discovery, meaning the matter of the silver laptop and breach-related records is likely not yet over. One way to curtail costs would be to simply

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14 [https://douglaslucas.com/files/SOSLucasEmails\\_LateNovember2023.pdf](https://douglaslucas.com/files/SOSLucasEmails_LateNovember2023.pdf)

15 The tracking number would likely look something like this: GASOS ORR #23-xxx with numbers in place of xxx.

16 <https://coalitionforgoodgovernance.sharefile.com/share/view/sd72d8cac0c8644c0846ad0136c428b2d>

17 <https://storage.courtlistener.com/recap/gov.uscourts.gasd.91723/gov.uscourts.gasd.91723.41.0.pdf>

produce, posthaste, all records the subpoenas target, that is, (to simplify somewhat) records related to the breach, its run-up, and its aftermath.

Consider also, discussed in my blog post, the Coffee County Commissioners' legal ability<sup>18</sup> to remove senior county attorney Tony Rowell and county manager Wesley Vickers, the other two men who did not produce sworn declarations about the silver laptop. Perhaps the Coffee County Commissioners could ask all three proposed declarants to explain at a public meeting their knowledge (or lack of knowledge) about the silver laptop. The Georgia Bureau of Investigation's report<sup>19</sup> on the Coffee County breach mentions another laptop stored in the county safe; might the silver laptop be there too?

Under law<sup>20</sup>, CCBOER has the power "to organize itself, [...] specify the functions and duties of its employees, and otherwise take such action as is appropriate to the management of the affairs committed to its supervision; provided, however, that no such action shall conflict with state law." That means the elections board has the right to produce the records and even to adopt independent (non-conflicted), possibly pro bono counsel to conduct an internal inquiry into the breach matter, as recommended<sup>21</sup> by longtime local lawyer Jim Hudson. The records could even be uploaded online en masse to a repository of breach records maintained by, perhaps, the independent counsel, to encourage analysis and informed action to prevent further such intrusions anywhere. Coffee County could still turn a breach into a beacon.

Sincerely,



DOUGLAS LUCAS

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18 Tony Rowell / Hall Booth Smith is a vendor of Coffee County and can be fired like any vendors of the County Commissioners. Local law specifically endows the Commissioners with the right to remove a county manager, such as Wesley Vickers.

[https://library.municode.com/ga/coffee\\_county/codes/code\\_of\\_ordinances?nodeId=PTIICOOR\\_CH2AD\\_ARTIIIIOFEM\\_DIV2COAD\\_S2-79TESUREPUHE](https://library.municode.com/ga/coffee_county/codes/code_of_ordinances?nodeId=PTIICOOR_CH2AD_ARTIIIIOFEM_DIV2COAD_S2-79TESUREPUHE)

19 <https://www.lawfaremedia.org/article/you-can-now-read-the-gbi-s-coffee-co.-report-in-full>

<https://www.lawfaremedia.org/article/what-the-gbi-missed-in-coffee-county>

<https://www.lawfaremedia.org/article/what-else-the-gbi-missed-in-coffee-county>

20 [https://library.municode.com/ga/coffee\\_county/codes/code\\_of\\_ordinances?nodeId=PTIRELA\\_ARTVIIBOEL\\_S9PRBY](https://library.municode.com/ga/coffee_county/codes/code_of_ordinances?nodeId=PTIRELA_ARTVIIBOEL_S9PRBY)

21 <https://douglasnow.com/index.php/news/item/11380-elections-board-to-consider-bringing-in-independent-counsel-to-investigate-alleged-2021-security-breach>