

'A Hot Mess Express' Elections Board Disqualifies GOP Candidate in Cobb Commission Race

Confusion again reigned over the Cobb Board of Commissioners electoral district map Friday afternoon when political activist Mindy Seger successfully challenged a Republican's candidacy for the District 2 commission seat.

The reason for the challenge: Candidate Alicia Adams does not live in Commission District 2 under the "home rule" map passed by the commission's Democratic majority at the end of 2022, Seger alleged.

The Cobb Board of Elections voted 4-1 to rule that Adams is not qualified to run for District 2 based on her residence outside the district. Debbie Fisher, the Cobb Republican Party's appointee to the elections board, voted against the disqualification.

The three Democrats on the county commission, Chairwoman Lisa Cupid and commissioners Jerica Richardson and Monique Sheffield, instituted the home rule map in a bid to keep Richardson in office. A state map, passed at the start of 2022, drew the east Cobb commissioner out of District 2.

Though Cobb Superior Court Judge Ann Harris ruled in January that Cupid's home rule resolution was unconstitutional, the county appealed the decision to the Supreme Court of Georgia, which is scheduled to hear the case on April 17. Until then, Cupid says the home rule map is the one the county is going by.

The Cobb Board of Elections has also confirmed it is going with the home rule map until the state high court rules on the appeal.

After Seger laid out her case — an Open Records Request from the county showed that the address Adams used for her candidate qualification is in District 3, not District 2, under the home rule map — **Chuck Boring**, Adams' attorney, pressed Seger on the constitutionality of the home rule map and the elections board keeping the home rule map in place.

"So the board is doing something contrary to what a Superior Court judge has ordered, do you agree with that?" **Boring** asked Seger.

"I see their statement for what it is," Seger responded. "Those were the rules that were set forth by this board to be followed by all candidates."

The elections board, then, is "actually usurping the role of the courts in making their own decisions in spite of what the court held," **Boring** said.

Seger said it was not for her to make a ruling on that question.

In asking the Board of Elections to deny Seger's challenge, **Boring** pinned the confusion on the Board of Commissioners, which he said is not legally able to keep its map in place over Judge Harris' decision.

"The Board of Commissioners does not have the authority to overrule a Superior Court judge in a legal proceeding," **Boring** said.

Cobb Elections Director Tate Fall noted the county elections office does not run qualifying for partisan candidates.

Those candidates qualify with their respective parties, and their declarations of candidacy and affidavits attesting to their residence in the districts they are running in are shared with the county.

Fall said Adams' qualification documents were accompanied by a letter from Cobb Republican Party Chair Salleigh Grubbs explaining that the party was not sure which map was in place.

Grubbs told the MDJ the goal of that letter was to ensure that, in the case the Supreme Court of Georgia rules Cupid's home rule map is unconstitutional, the party would have a candidate — in this case, Adams — running in the District 2 race under the map passed by the legislature in 2022.

The letter was also sent to demonstrate the uncertainty around which map is in place.

"This is one of those cases where it has become a hot mess express," Grubbs said.

What will happen, Grubbs asked, if the high court tosses the home rule map in April.

Adams, she said, would have been their candidate.

After the hearing, **Boring** told the MDJ he and his client expected the decision and did not blame the elections board.

"The Board of Elections has been hamstrung by the decisions of the Board of Commissioners," **Boring** said.

He plans to appeal the decision to Cobb Superior Court. That appeal can be filed within 10 days of the Board of Elections filing the formal order upholding Seger's challenge.

Seeger, who has served as executive director of Commissioner Richardson's group, For Which It Stance, said it is unfortunate there is continued confusion over the maps, but that her challenge was an effort to ensure accountability in the elections process.

"Given the Board of Elections needed to move forward based on the elections schedule and what they're charged with doing, getting ballots ready, getting ballots out the door," Seeger said. "In doing this, rules had to be set, and those rules have to be followed. What the judicial is going to do with that or what happens from there is something we're all kind of learning as we go."