**9/23/24; Start the steal?**

**[HALF SECOND OF SILENCE]**

**[BILLBOARD]**

NOEL KING (HOST): The 2020 election was always going to be a weird one. Trump v Biden. America v COVID. It was a tight race. And Donald Trump’s divisive presidency gave the Democratic party a chance to flip some states that’d been voting Republican for years. But the Trump campaign lied and said that the Democrats STOLE Arizona and Michigan and North Carolina and others. And soon came the threats to election workers.

*<CLIP> CNN:*

*Caller 1: We’re gonna fucking hang you traitor.*

*Caller 3: I will take a bullet to your fucking head if you fuck with my rights anymore.*

NOEL: Maybe the most contentious fight was over Georgia.

*<CLIP> Ray Charles: Georggiaaa*

SCORING IN <Triangle time, no bass version BMC>

NOEL: Donald Trump was caught on tape asking the Secretary of State to “find” him some votes.

*<CLIP> Trump/Raffensperger: “I think it’s pretty clear that we won…*

NOEL: And Rudy Giuliani engaged in so much defamation that he currently owes $148 million dollars to two Georgia election workers. Now, it’s 2024. And we’re doing it all again. Are we ready? Coming up on *Today, Explained*.

**[THEME]**

*<CLIP> Swing State Bumper*

*Bryan Walsh: Today, Explained [music] battleground states*

*Hady Mawajdeh: Georgia.*

NOEL: I’m Noel King. There are 42 days until the 2024 election. Seven Mondays. Every Monday until then, we will look at one of the seven swing states. They could go either way. They will decide the election. Can you name all seven? I’ll tell you at the end if you can’t. Today, we begin with Georgia, the center of the 2020 “stolen election” myth and with Sam…

SAM GRINGLAS (POLITICS REPORTER, WABE): I'm Sam Gringlas. I'm a politics reporter at WABE in Atlanta.

NOEL: Indeed you are! Alright, so in 2020, Georgia becomes a crucial state for arguments over the results of the election. Remind us why?

SAM: Georgia was decided by just under 12,000 votes in 2020.

SCORING IN <Embers Bounce Around You On the Way Down (Drum Machine Version)>

*<CLIP> 11ALIVE REPORTER: The Margin between President elect and President Trump, of a quarter percent.*

SAM: And this was also the first time that Democrats Joe Biden won Georgia's presidential electoral votes since 1992 when Bill Clinton won the state.

*<CLIP> CBS NEWS SEAN SULLIVAN: In recent years, a lot of Democratic strategists have looked at Georgia, they’ve looked at the demographic changes in the state. And they said, ‘Boy, this looks like a state we can put in our category, in a our win category, but until now it hasn’t ever materialized.*

SAM: And so this attracted a lot of pushback from activists in the Republican Party, allies of former President Trump, who began to call into question the results of the election.

*<CLIP> RUDY GIULIANI: look at that woman. Look at her taking those ballots out. Look at them scurrying around with the ballots. Nobody in the room, hiding around. They look like they’re passing out dope.*

SAM: And Trump himself spurred on some of this conversation, even making this now infamous call to Georgia's Republican secretary of state, Brad Raffensperger, asking him to help find him votes.

*<CLIP> FORMER PRESIDENT DONALD TRUMP: So what are we gonna do here folks? I only need 11,000 votes. Fellas, I need 11,000 votes. Gimme a break.*

SCORING OUT

NOEL: So ultimately, Brad Raffensperger declines. Georgia does go for Joe Biden. What's been happening in Georgia in the last four years.

SAM: So a lot of this conversation about election integrity has not necessarily gone away.

*<CLIP> STATE ELECTION BOARD MEETING, PAUL WHITE (CITIZEN): it’s time to put away the artificial intelligence that counts our votes and adjusts the number, not by the truth, but rather by algorithm.*

SAM: Polls show that majorities of voters in Georgia believe that elections are free and fair, But there are pockets, especially within allies of former President Trump and within the Republican Party, who still push many of these unfounded conspiracy theories about widespread fraud in 2020 and in the years since.

*<CLIP>*

*State Election Board Meeting*

*KEVIN MALDOWNY (CITIZEN): we have some of the dirtiest voter rolls in the country, which facilitate dirty elections.*

*SANDRA BURKHART (CITIZEN): i’ve seen things like, no name accepted as a listed name on the registrar. Secretary of State doesn’t seem to have an issue with that.*

*PAUL HEARESAY (CITIZEN): in the early days of voting in Georgia, the voting was controlled by Kennesaw State University. They did an evaluation of the Dominion Machines, and their IT department deemed that they were all hackable and screwed up.*

SAM: And the result of that is that Republicans in the state legislature have passed a series of new election laws that have been designed to reassure some of these skeptics of election integrity that the votes are free and fair. But that has not necessarily worked. And some of these doubts still really exist among certain pockets of voters in Georgia.

NOEL: Tell us about the state election board and what's going on there.

SAM: The state election board is an appointed panel that until recently had been a pretty obscure state body. So this board is charged with making rules that basically help election officials interpret and carry out Georgia election law, real policies, law changes.That's done by the state legislature, not this election board. So they're more of a body that helps, you know, interpret what is already being done by the state legislature. Their job is not to pass new laws.

SCORING IN <Tremendous Sideburns Beet (Loop) (breakbeat, hip hop, steady head nod, bass, glock, upbeat)>

SAM: But in recent months especially, they've began passing a series of rule changes that could take effect ahead of the 2024 election that have received a lot of pushback from Democrats…

*<CLIP> ALIVE11 LUCY MCBATH: make no mistake, what is unfolding in Georgia is nothing less than a concerted effort to subvert democracy and move us backwards.*

SAM: From voting rights activists and even among some state Republican election officials, including Secretary Brad Raffensperger.

*<CLIP> BRAD RAFFENSPERGER: Well we wanna make sure we don’t have chaos. We wanna make sure that we don’t have any questions about chain of custody. And some of the procedures that they’re suggesting would actually reduce the security, the robustness of the chain of custody. So we don’t think that they’re helpful.*

SAM: The most controversial among these are related to the certification of election results, and that has attracted a lot of blowback from legal experts, from election officials across the state.

*<CLIP> ALIVE11, NABILAH ISLAM PARKES: The people of Georgia deserve leaders who respect the law, uphold the precious and sacred right to vote and protect our democracy, not individuals who conspire behind closed doors to disenfranchise voters.*

*<CLIP> MAGA rally in Georgia, Trump: they're on fire they're doing a great job three members Janice Johnson Rick Jeff and Janelle King three people are all pitbulls fighting for honesty transparency. They’re fighting.*

SCORING OUT

NOEL: Okay. So they're clearly controversial. What are these rule changes that have been made over the past couple of months?

SAM: So we're talking about kind of a wide spectrum of changes to Georgia election rules. One of the most controversial buckets has to do with how election results are certified on election night and the days after. A couple of rules would seemingly open the door for local election boards to vote against certifying election results. If they can't access all of the election documents that they want to see, or if they simply have questions or spot a discrepancy that they can't make heads or tails of. So that's one category. Another category that's attracted a lot of controversy is related to hand counting of ballots on election night and the days after. This is not about actually tallying votes or the results of races. You know, what's on those ballots. But looking at the paper ballots and making sure the number in each ballot box matches up with the number of ballots that the machine scanned over the course of the night on Election Day. And if there's discrepancies there, that might open the door for, you know, misinformation about the integrity of the election, because we know that hand ballot counts are less reliable than a machine count.

NOEL: All right. So a bunch of rule changes had already been made. And then on Friday, this board met again and they passed even more rule changes. What were those?

SAM: The board on Friday was set to consider 11 more rule changes. Granted, this is now just a couple of weeks before early advance voting begins in Georgia. In the end, they passed six of them. The most controversial is that measure related to hand counting ballots on election night. Some of the other measures that passed, include allowing poll watchers access to more places on election night during the tabulation of votes and some more anodyne things like daily posting of the number of people in each county who cast a ballot and publicly posting something called reconciliation reports to a county website. So things that, you know, election officials oppose because of the last minute nature of them, but are probably less controversial than these measures on certification or hand counting ballots.

NOEL: All right. So there's one side here that says these rule changes are necessary and there's another side that says these rule changes have gone too far. What is the purpose behind these rule changes according to each side?

SAM: I think it depends on the rule at hand. But broadly, the proponents of these rules are saying that they are necessary to ensure a fair and free election, to provide transparency and to assure folks who have doubted the integrity of elections that they are indeed free and fair and that they can trust the results. Now, Democrats and many election experts and voting rights activists say no. These rules are intended to create chaos and confusion and possibly lay the groundwork for former President Trump and his allies to see doubts about the integrity of the election results when inevitably local election officials, you know, stumble because of the last minute nature of the changes.

NOEL: Are all of these rule changes going to be implemented if there is this much opposition to them?

SAM: Well, we know that the rule changes that have been passed are set to be implemented by October…

NOEL: Hmm!

SAM: as voting is getting underway. However, there is very likely to be legal challenges. We already know that the certification rules are facing two lawsuits, and a trial date has been scheduled for October 1st. I would expect that this measure on hand counting ballots on election night, that will also face legal challenges because Georgia's Republican secretary of state and Republican attorney general have warned the board that they are very likely running afoul of Georgia law and exceeding their authority. And so I would be very surprised if we don't see those rules before a judge sometime this fall.

NOEL: How much of what we've been talking about is setting Georgia up for another 2020?

SAM: Well, this is certainly something that Democrats and many election officials do worry about, that perhaps any opening to misinformation or confusion or delays kind of creates that space for more claims of widespread fraud or that there were problems with the election result. And as we know, in 2020, those claims are what eventually led to former President Trump and his allies saying that the election was stolen in states like Georgia and other battlegrounds around the country.

SCORING IN <23 - cruising at 30,000 (great for an ender, momentum)>

SAM: But election officials insist that they are going to do their level best to adapt to these changes. They are professionals and that people should have confidence in the results and the work of their poll workers. You know, I talked to an election official in Gwinnett County that's in metro Atlanta who said the one thing that really reassures him and that should reassure other people is that the people who are working the polls are your neighbors. It's your local firefighter, your local teacher, the guy next door. And so people should have trust that the people who are running these elections have the community's best interest in mind and are doing everything they can to make sure it goes off without a hitch.

SCORING BUMP

NOEL: W-A-B-E Political Reporter Sam Gringlas. Authorities in Georgia are asking citizens to have faith in the poll workers and faith in the process. Coming up: an expert in election security on faith in 2024!

**[BREAK]**

**[BUMPER]**

NOEL: It’s Today, Explained David Becker is the founder and executive director of the non-partisan, non-profit Center for Election Innovation and Research. The org works with election officials all over the country to support them. And it’s going well!

DAVID BECKER (FOUNDER, EXECUTIVE DIRECTOR, CENTER FOR ELECTION INNOVATION AND RESEARCH): What we've seen over the last several years is, though we have been we are running elections that are as secure, transparent and verifiable as any elections ever in American history.

NOEL: The problem is that disinformation and lies have us thinking that the elections are compromised even though they are not, David says and THEN there’s Georgia.

DAVID: So I think this is a place where the reality and the perception differ.   
  
NOEL: huh!

DAVID: That said, the state election board has some oversight responsibility for directing counties and the county boards on running elections, but they have no authority on actually certifying the vote. And it's important that we understand what certification of the vote is in every single state. Certification is just the non-discretionary ministerial act of giving an election legal effect.

*<CLIP> NOAH BOOKBINDER: Ballots are counted. These local jurisdictions, in many cases counties, certify that. That’s essentially doing the addition, then passing it on. Then the state certifies. Then that goes to the electoral college.*

DAVID: That's not to say that there aren't the opportunities to bring legitimate legal challenges if candidates or campaigns think that there has been a problem. But there's another path for that. And that path is through the courts where they have to bring evidence and they have to subject that evidence to scrutiny and cross-examination. And a court has to hear it. It's not the place for political appointees like the Georgia State board to decide they don't like the election. So the reality is that the state board's efforts are not going to change the fact that whoever wins Georgia's electoral votes will get those electoral votes. However, it could be used to fuel disinformation and lies spread by a losing candidate that an election was stolen.

*<CLIP> FORMER PRESIDENT DONALD TRUMP: if you look at the facts, and i’d love to have you do a special on it, i’ll show you Georgia, and i’ll show you Wisconsin, and i’ll show you Pennsylvania, and i’ll show ya– we have so many facts and statistics but you know what? That doesn’t matter.*

NOEL: What about after the votes are cast? What kind of protections are in place to make sure all of those votes are counted?

SCORING IN <#DoYourJobDoSomeResearch (minimal kick, polyrhythm, moving forward, figuring things out)>

DAVID: Georgia has all paper ballots. They have audits of those paper ballots to ensure that the machines counted them accurately. And one of the things that Georgia does particularly well is they have early certification dates. This year it’s on November 12th at 5 p.m. in Georgia.

SMALL SCORING BUMP

DAVID: So if there are any counties or any county board members who decide that they have the power to overturn the will of the people of Georgia and want to delay that effort the state will be able to act quickly on November 12th to compel them to certify. We've seen this happen in other states.

*<CLIP> NBC Reporter: Two republican county officials in Michigan's largest county, which includes Detroit, refuse to certify the election results…*

*<CLIP> FOX 10 PHOENIX REPORTER: Cochise County has become an outlier. The only county in Arizona not to certify election results by today’s deadline.*

*<CLIP> NEWSNATION REPORTER: The Otero County commission is responsible for certifying election results, but the three commissioners have unanimously refused to do so ‘cause they apparently don’t trust the Dominion Voting machines that were used.*

DAVID: And they've been dealt with swiftly and decisively on a bipartisan basis. Georgia is prepared to do the same. So they will have this resolved well in advance of the key deadline here, which in the presidential race is December 11th. December 11th is the date that the new Electoral Count Reform Act passed by Congress in 2022 requires that electors be what's called “ascertained”, which means that the governor has to sign a document saying the electors go to whoever won a given state.

*<CLIP> SEN. JOE MANCHIN (I-WV): If you want to go out and fight a good battle who you’re for and against, that’s the election process. You go out and work like the dickens for whoever you support. But then when the votes’ been cast we want to make sure everyone can breathe easily and say it was done accurately and say I lost fair and square or I’m so happy that I won.*

DAVID: And I am 100% confident that Georgia and in fact, all of the states will be able to work past efforts to destabilize an election and ensure that their voters in their states, including those who voted for the losing candidate, aren't disenfranchised in the race for president and their electors are counted.

SCORING OUT

NOEL: It sounds like Georgia's doing a lot of things right. I wonder if we look at the country more broadly. There are 50 states. Is there anything happening at a federal level to resolve some of these concerns, or is it really on the states to figure this out for themselves?

DAVID: Well, Congress, largely through the Constitution, delegates responsibility for running elections to the states. But that said, there are some things the federal government has done. And as I mentioned earlier, one of those key things that they've done specifically with regard to a presidential race is pass the Electoral Count Reform Act on a bipartisan basis in 2022. And that establishes much stronger guardrails around the Democratic process with regard to presidential elections.

*<CLIP> WRAL Prof David McClennan: it basically makes the Vice President a ceremonial role so it’s really in front of the chambers.*

DAVID: It clarifies that the vice president's role on January 6th is purely ministerial. That their role is just presiding over the joint session and that their role is just counting the votes that have been there. It is not the opportunity to blow past the courts; to ignore what courts have said, to ignore what the voters have said, and decide that members of Congress don't like the outcome.

*<CLIP> WRAL REPORTER: The new law also increases the threshold for objecting to electors from a single congress member or senator to 1/5th of each chamber. And it also includes an additional 75 million dollars for election security in the future.*

DAVID: the federal government has strengthened the protections around the election to ensure that the true winner of the election, as determined by the states and as resolved by the courts if necessary, does get the electoral votes and takes office on January 20th.

NOEL: What should voters be watching out for on Election Day and the day after Election Day this year? Not just in Georgia, but around the country? Offer us some some predictions, if you could.

DAVID: First, we have to understand we live in a very closely divided country. It shouldn't be a surprise to us if any given candidate wins. Given how closely divided we are… and especially how passions are running high, we're going to see very high turnout again. We saw the highest turnout in American history in 2020. And that means we should expect on Election Day and election night that election officials are going to be working incredibly hard to answer the one question on all of our mind, which is who won?   
  
NOEL: Hmm

DAVID: But we also should recognize that they are counting very complex ballots in every jurisdiction in this country. There are dozens of races on those ballots, not just the presidential race, not just Senate races in some states, not just congressional races, but state races, local races. County races. Ballot measures. And so we should set expectations that we're not going to know who won the election on election night because the race is going to be very narrow and because it takes some time, especially when margins are very narrow, to count all the ballots. Some states we’ll have a better idea of than others because they have processes in place to count those ballots very, very quickly thanks to laws passed on a bipartisan basis. But other states, in particular, Pennsylvania, Wisconsin, where the legislatures, led by Republicans, have not passed laws that allow them, for instance, to pre-process mail ballots and load them up in scanners so they can be reported quicker. They can't start that until Election Day. So it's going to take longer in those states, and that's the way the legislature decided it should be. And if the margin of victory is extremely narrow, it might take several days to get to the point where the media can call it. And that media call is unofficial. But it's what we often think of as the decisive call. So we should be patient. I think we should also expect that there's a very strong likelihood that a losing candidate might declare victory on election night and spread lies about the process. And we should ignore that. If you hear a candidate on election night claim victory before victory has been determined, you should know that that candidate thinks they lost because a candidate who thinks they win has every incentive to support the legitimacy of the process.

SCORING IN <Embers Bounce Around You On the Way Down (Original No Drums Version)>

DAVID: So watch what the candidates say on election night. The candidate who says who is who is tearing down the system, who is spreading lies about a process before the votes have even been finished, counting the candidate who's claiming that they should stop counting, even though they've only partially counted. That's the candidate who thinks they lost. And it's going to be a very strong tell. Hopefully that will help stabilize things because there's going to be an effort, perhaps by the losing candidate to try to incite anger and potentially violence in the post-election period.

CREDITS: David Becker of the nonpartisan Center for Election Research and Innovation.

Do you know the seven swing states? They are: Georgia, Arizona, Nevada, Wisconsin, Michigan, and North Carolina. And Pennsylvania! On Monday, we’ll bring you some reporting from P-A on candidates Trump and Harris scrounging for every vote they can get and finding themselves in some unusual places.

This episode was produced by Hady Mawajdeh, edited by Amina Al-Sadi, fact-checked by Laura Bullard and Victoria Chamberlin, engineered by Patrick Boyd and Rob Byers, and hosted by Noel King*.*

**[10 SECONDS OF SILENCE]**