



Committee for
**SAFE AND SECURE
ELECTIONS**



Sheriff Justin Smith
(Retired)



Tina Barton
The Elections Group

Our Mission

The Committee for Safe and Secure Elections features **cross-partisan experts in election administration and law enforcement** who aim to support policies and practices that **protect** election workers and voters from violence, threats, and intimidation.

The Committee also works to **build relationships and trust** between election officials and law enforcement to better equip both to prevent and respond to threats and violence against voters and election workers.

Indiana Man Indicted

OAKLAND COUNTY

Indiana man indicted in threats against Rochester Hills clerk over 2020 election results

Robert Snell and Craig Mauger The Detroit News

Published 12:59 p.m. ET Aug. 11, 2023 | Updated 5:51 p.m. ET Aug. 11, 2023

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Detroit — A federal indictment unsealed Friday charged an Indiana man with threatening to kill former Rochester Hills Clerk Tina Barton for defending the integrity of the 2020 presidential election, telling her that more than 10 million patriots "will surround you when you least expect it."

The bare-bones indictment unsealed Friday charges Andrew Nickels, 37, of Carmel, Ind., with transmitting threats in interstate commerce. The charge carries a maximum five-year prison sentence.

A New Kind of Domestic Violence 2022



Facing harassment and death threats, some election workers weigh whether to stay

Politics Jul 8, 2022 2:46 PM EST



New Mexico shootings follow two years of election assaults

By CHRISTINA A. CASSIDY January 18, 2023



DHS 2024 Threat Assessment

- Some DVEs, particularly those motivated by conspiracy theories and anti-government or partisan grievances, may seek to disrupt electoral processes. Violence or threats could be directed at government officials, voters, and elections-related personnel and infrastructure, including polling places, ballot drop box locations, voter registration sites, campaign events, political party offices, and vote counting sites.
- Russia, China, and Iran likely see the upcoming election season in 2024 as an opportunity to conduct overt and covert influence campaigns aimed at shaping favorable US policy outcomes and undermining US stability, and they will likely ramp up these efforts in advance of the election. These adversarial states are likely to use AI technologies to improve the quality and breadth of their influence operations targeting US audiences (see *“Foreign Misinformation, Disinformation, and Malinformation”* for additional information on the tactics and technologies they are likely to use in the run-up to the election).
- Though we continue to strengthen the integrity of our elections infrastructure, cyber actors, both government-affiliated and cyber criminals, likely will remain opportunistic in their targeting of election-related networks and data, routinely attempting to exploit misconfigured or vulnerable public-facing websites, web servers, and election-related information technology systems. These actors are likely to engage in social engineering campaigns, including spear-phishing and smishing state government officials.





Committee for
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5 Steps to Safer Elections

Five Steps to Safer Elections

1

Meet

Meet with counterparts and other stakeholders

2

Share

Share experiences, contact information, election details, and expectations

3

Agree

Agree to work together regularly and define rules of engagement where voters are present

4

Plan

Plan incident response, information sharing, and crisis communications

5

Practice

Practice information sharing and response plans

Step 1 - Meet

- Bring local partners to the table to build relationships
- Explain the need for security planning to community stakeholder groups
 - Identify and address concerns
- Consider whether to engage with other state or federal agencies

FIVE STEPS TO SAFER ELECTIONS

STEPS 1 AND 2: IN FOCUS
Meet & Share: Building a Partnership Between Election Officials and Law Enforcement

INTRODUCTION

Election offices require a secure environment so voters have the confidence to vote and workers can carry out assigned tasks. In the current atmosphere, law enforcement assistance may be needed to keep voters and workers safe. **Cooperation is essential.**

Election officials and law enforcement officers have distinct operating protocols, each of which center on the same mandate: following the laws as they are provided. Meeting will help each institution understand the other and learn how to work together.

In addition, because **different communities have different perspectives on law enforcement**, it may be useful to convene meetings with local community stakeholders to discuss the goals of cooperation and the boundaries.

CONVENING LAW ENFORCEMENT AND ELECTION OFFICIALS
The starting point is a meeting between members of the election office and the relevant law

1 MEET
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Step 2 - Share

The primary goals of the initial meeting are:

- Sharing history of election worker intimidation establish the need for cooperation
- Understanding each other's operating environment
- Sharing key details of election administration (calendar, locations, etc.)
- Sharing contact information of liaisons and key staff
 - Assign duties accordingly
- Setting expectations and boundaries, based on framework of law
- Mapping a path forward
- Identifying community stakeholder groups that may need to be kept informed

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Step 3 - Agree

- A follow-up meeting should consider:
 - Routine security support for election operations
 - Statutory duties such as transport of secure materials
 - Other routine security oversight
 - Physical security advice
 - Security Communications
 - Rules of Engagement, especially where voters are present

FIVE STEPS TO SAFER ELECTIONS

STEP 3: IN FOCUS

Agree: Agreeing on Rules of Engagement and Routine Security

INTRODUCTION

The institutions of law enforcement and election administration **share a reliance on established procedures and training to guide personnel through complex scenarios**. Creating an agreed set of routine security protocols and rules of engagement (ROE) is a natural way to structure the relationship, letting each institution

DEFINING THE ASSISTANCE NEEDED

As the authority charged with running the election appropriately, **the election office must take the initiative in defining assistance** requested from law enforcement. Scenarios to address will include:

1. General Rules of Engagement
2. Routine security support for election operations
3. Statutory duties such as transport of secure materials

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Step 4 - Plan

- Plan for Incident Response to facilitate smooth operations, no matter what happens:
 - Determine the scope and risk of an incident
 - Respond appropriately
 - Take protective measures for staff
 - Take preventive measures to ensure no recurrence of disturbance
- Plan crisis communications to create awareness and to deter further incidents
 - Identify, in advance, who needs to be notified in the case of an incident or emergency – include internal and external stakeholders

FIVE STEPS TO SAFER ELECTIONS

STEP 4: IN FOCUS
Plan: Planning the Response to Security Incidents

INTRODUCTION

Increased cooperation, routine security measures, and public communications about law enforcement engagement are significant deterrents to disruptive or threatening activity. Still, such activity may occur. Here we provide an agenda for a meeting that would plan out the response to incidents, organized around the following topics:

1. Context of Disruption
2. Disruption and Emergency Response
3. Responding to Threats and Intimidation
4. Protective Services
5. Crisis Communications
6. Preventive Activity
7. Investigation

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Step 5 - Practice

- Meet regularly to discuss new incidents, requirements and actions
- Conduct a tabletop exercise to role play scenarios and establish good habits and identify gaps.
- Practice all aspects of emergency response, including communications

FIVE STEPS TO SAFER ELECTIONS

STEP 5: IN FOCUS

Practice: Applying the Security Plan in Realistic Scenarios

INTRODUCTION

A plan is only as good as your ability to put it into practice. Law enforcement agencies will be familiar, and election offices increasingly so, with the **Tabletop Exercise (TTX)**, a method for **putting participants into a security scenario** to test aspects of the plan, reinforce understanding and strengthen adherence to its principles and components.

This section will provide an Election Security "TTX in a Box," presenting scenarios and paths through them, as well as providing pointers on creating and facilitating the TTX with your security partners.

Some agencies may even consider a **real-world simulation, in which some participants may not be aware it is merely a training exercise**. While some in the election community have successfully used such drills, the risks of misapprehension by unwitting participants are significant.

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RESOURCES FOR ELECTION ADMINISTRATORS



RESOURCES FOR LAW ENFORCEMENT



Law Enforcement Pocket Guide Templates

NORTH DAKOTA LAW ENFORCEMENT QUICK REFERENCE GUIDE



This pocket reference guide contains key penal provisions found within the North Dakota Century Code, within Title 12.1, 16.1 and other relevant sections.

- Injuring, intimidating, or interfering with a voter exercising their right to vote, or an election official or observer, is a misdemeanor.
- Causing a disturbance, breach of peace, or obstructing a voter or a member of the election board is a misdemeanor.
- Destruction of ballots or election supplies or tampering or interfering with the operation of a voting system or device is a felony.

VOTING HOURS

Varies by County. Find yours at:
<https://vip.sos.nd.gov/WhereToVote.aspx>

ELECTION DATES

2024 Primary Election: June 11th
2024 General Election: November 5th
For info about upcoming elections:
<https://vip.sos.nd.gov/pdfs/Portals/electioncalendar.pdf>

REPORT SUSPICIOUS BEHAVIOR TO

Your local election official:
vip.sos.nd.gov/CountyAuditors.aspx
Secretary of State Elections Unit:
800-352-0867 and soselect@nd.gov



De-Escalation Posters & Pocket Guides

DE-ESCALATION: Responses to help stabilize tense situations.

FIVE PURPOSEFUL -ACTIONS-



REMAIN CALM
Purposefully demonstrate calmness and composure.



CHANGE THE SETTING
If possible, remove people from the area. This could involve parties to the conflict and onlookers.



RESPECT PERSONAL SPACE
Maintain a safe distance and avoid touching the other person.



LISTEN
Give your full attention, nod and ask questions, and avoid changing the subject or interrupting.



EMPATHIZE
Present genuine concern and a willingness to understand without judging.

DE-ESCALATION: Responses to help stabilize tense situations.

RULES OF BODY -LANGUAGE-

Be aware of your non-verbal communications. Ensure your tone, facial expressions, body language, and gestures relay calm and empathy.



GOOD BODY LANGUAGE

- #1 Keep a relaxed and alert stance off to the side of the person.
- #2 Keep your hands down, open, and visible at all times.
- #3 Use slow, deliberate movements.
- #4 Maintain a neutral and attentive facial expression.



BAD BODY LANGUAGE

- #1 Standing rigidly directly in front of the person.
- #2 Pointing your finger.
- #3 Excessive gesturing or pacing.
- #4 Faking a smile.

DE-ESCALATION: Responses to help stabilize tense situations.

VERBAL -COMMUNICATION-

Remain respectful and courteous. Address the individual with civility and use phrases such as "please" and "thank you".

TO NE
+
VOLUME
+
RATE OF SPEECH
+
INFLECTION
=
VERBAL
DE-ESCALATION

TO NE
Speak calmly to demonstrate empathy.

VOLUME
Monitor your volume and avoid raising your voice

RATE OF SPEECH
Speak slowly - though not too slowly - because it is soothing.

INFLECTION
Be aware of emphasizing words or syllables as that can negatively affect the situation.



INSTEAD OF:
"Calm down"
"I can't help you"
"I know how you feel"
"Come with me"

TRY...
"I can see that you are upset..."
"I want to help. What can I do?"
"I understand that you feel..."
"May I speak with you?"



Podcast



Podcast Episode

71 - Election Safety and Security: The Problem

LSU NCBRT Preparedness Podcast





Warning: This video depicts an election official being threatened, as well as an attempt at violence.

Mental Health Matters





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TTX Facilitation

TTX Run of Show

- As each scenario is presented, you will be asked to provide a response based on six perspectives: law enforcement, your personal security, office physical security, communicating with the public/ public concerns, staff/ poll worker communication, shoulda/ woulda/ coulda (how preparation might have helped)
- We will then go around the room and ask for a read out as to what your responses or plan of action would be.
- Our team will provide additional direction as to what may be helpful in each scenario.

Questions to consider and conversations to have as you work through the scenarios presented in the next couple of hours...

Intelligence and Information Sharing

- Do election personnel know where to report incidents and what information is needed?
- Who is compiling information on such incidents? Do they know names of key election personnel?
- What type of threat/ harassment information is actionable? Can non-actionable information be held to establish a pattern of harassing behavior?
- What methods of investigation might help identify those making threatening/ harassing calls or emails?

Preventative Security

- At what point does harassing behavior justify a visit from law enforcement?
- Who should staff call? What information is necessary to share with police?
- Does law enforcement know all election locations and have name and contact information for election workers?
- What public communications may stifle the appetite for escalation of those involved in harassment?
- What level of threat justifies a change in the physical presence of law enforcement at various election facilities?

Emergency Response

- How do you assess the threat level of a crowd?
- How do you set the balance between sensibilities of voters, for whom heavy law enforcement presence may be alarming, vs. the need to deter disruptive activity?
- What actions (or requests) would prompt law enforcement entry into a polling place? Or activity inside?

Worrisome Calls, Emails and Activity

SCENARIO: Election staff receive threatening calls and emails at the office which seem close to the line – comments such as they will “get what they deserve” or “should be careful, because people know things.”

A week later, a caller leaves a voicemail stating that they have been watching staff members as they drive home. The caller says they know where they live, and where their kids go to school.

RESPONSE: Explain what actions you would take across the following areas of: Law Enforcement, Your Personal Security, Office Physical Security, Communicating with the Public / Public Concerns, Staff/ Poll Worker Communication, IT, and Shoulda/ Woulda/ Coulda

AI Image and False Report of Active Shooter

SCENARIO: The local 911 center receives a call stating that they are at a polling location and there is an active shooter present. Simultaneously, an image goes viral over social media depicting what appears to be dead and wounded persons at one of the voting locations. It is quickly determined that the images and reports are false. Panic is quickly spreading through the community because of the nature of the reports and images.

RESPONSE: Explain what actions you would take across the following areas of: Law Enforcement, Your Personal Security, Office Physical Security, Communicating with the Public / Public Concerns, Staff/ Poll Worker Communication, IT, and Shoulda/ Woulda/ Coulda

Mail Incident

SCENARIO: While processing absent voter ballots, it is discovered that one of the envelopes contains an unknown powder substance. (Depending on the size of your jurisdiction, consider how the envelopes are opened, who would be present, what might be contaminated.)

RESPONSE: Explain what actions you would take across the following areas of: Law Enforcement, Your Personal Security, Office Physical Security, Communicating with the Public / Public Concerns, Staff/ Poll Worker Communication, IT, and Shoulda/ Woulda/ Coulda

Insider Threat

SCENARIO: When conducting an inventory of the election equipment, it is discovered that a tabulator is missing.

RESPONSE: Explain what actions you would take across the following areas of: Law Enforcement, Your Personal Security, Office Physical Security, Communicating with the Public / Public Concerns, Staff/ Poll Worker Communication, IT, and Shoulda/ Woulda/ Coulda

Voter Intimidation

SCENARIO: A group of individuals who appear to be armed are carrying out surveillance of ballot boxes. Members of the group are following voters (some are breaching the 100 ft line for electioneering), speaking to and yelling at them. The groups are sharing and posting information, as well as photos and videos of voters.

A growing number of voters are reporting that they do not feel safe voting early because of the group's behavior.

RESPONSE: Explain what actions you would take across the following areas of: Law Enforcement, Your Personal Security, Office Physical Security, Communicating with the Public / Public Concerns, Staff/ Poll Worker Communication, IT, and Shoulda/ Woulda/ Coulda

Specific Threat to Election Official

SCENARIO: A social media post is discovered a couple of days before the election that makes a very specific threat to the life of an election official, additionally the threat includes language that they intend to do physical and sexual harm to the election official's children.

RESPONSE: Explain what actions you would take across the following areas of: Law Enforcement, Your Personal Security, Office Physical Security, Communicating with the Public / Public Concerns, Staff/ Poll Worker Communication, IT, and Shoulda/ Woulda/ Coulda

Disruption in a Polling Place on Election Day

SCENARIO: Two individuals enter a polling place with their cellphones out and ready to take video. They tell people in line that the machines are rigged and ask for a reaction. Poll workers ask them to leave but they do not. They begin taking video of voters marking and submitting their ballots, so they can “use the video as evidence to help prove the allegations that the machines are rigged.”

RESPONSE: Explain what actions you would take across the following areas of: Law Enforcement, Your Personal Security, Office Physical Security, Communicating with the Public / Public Concerns, Staff/ Poll Worker Communication, IT, and Shoulda/ Woulda/ Coulda

Day After Election Day Incident

SCENARIO: A highly controversial candidate wins their race by less than 20 votes. A protest erupts outside of the county facility. The crowd grows larger as the news of the candidate's win spreads. Supporters of the candidate also show up with signs and banners with the candidate's photo and name on them. Tensions rise and several members of the crowd start getting physical with each other. This escalates into chaos and the crowd becomes violent and destructive to the county property.

RESPONSE: Explain what actions you would take across the following areas of: Law Enforcement, Your Personal Security, Office Physical Security, Communicating with the Public / Public Concerns, Staff/ Poll Worker Communication, IT, and Shoulda/ Woulda/ Coulda

Cyber Event

SCENARIO: You discover that an unauthorized user illegally accessed files on a shared drive on your network. This criminal cyberattack has exposed the personally identifiable information of several thousands of voters in the county. The unauthorized user appears to have illegally accessed and copied the information primarily from files used to conduct voter registration list maintenance.

RESPONSE: Explain what actions you would take across the following areas of: Law Enforcement, Your Personal Security, Office Physical Security, Communicating with the Public / Public Concerns, Staff/ Poll Worker Communication, IT, and Shoulda/ Woulda/ Coulda

DOJ, FBI, and EI-ISAC

The Department of Justice needs the public's assistance in remaining vigilant and reporting suspected threats or acts of violence against election workers. To contact the DOJ Task Force, email Aaron Jennen, Trial Attorney-Election Community Liaison, at **Aaron.Jennen2@usdoj.gov**.

Contact the FBI at **1-800-CALL-FBI (225-5324)** to report suspected threats or violent acts. You also may file an online complaint at: **tips.fbi.gov**. Complaints submitted will be reviewed by the task force and referred for investigation or response accordingly. If someone is in imminent danger or at risk of harm, contact **911** or your local police immediately.

The EI-ISAC® is a community of dedicated election officials and cybersecurity professionals working side-by-side to ensure the integrity of elections among U.S. State, Local, Tribal, and Territorial (SLTT) governments: **[https:// / learn.cisecurity.org](https://learn.cisecurity.org)**



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Questions?

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BRENNAN
CENTER
FOR JUSTICE

Protect
Democracy

R Street
Free markets. Real solutions.

e THE
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