

CANDACE McLAREN LANHAM
Chief Deputy Attorney General



ANTHONY G. BROWN
Attorney General

CHRISTIAN E. BARRERA
Chief Operating Officer

ZENITA WICKHAM HURLEY
Chief, Equity, Policy, and Engagement

CAROLYN A. QUATTROCKI
Deputy Attorney General

LEONARD HOWIE
Deputy Attorney General

PETER V. BERNS
General Counsel

STATE OF MARYLAND
OFFICE OF THE ATTORNEY GENERAL

FACSIMILE NO.
(410) 576-7036

WRITER'S DIRECT DIAL NO
(410) 576-6588

February 6, 2024

TO: The Honorable Luke Clippinger
Chair, Judiciary Committee

FROM: Adam Spangler
Legislative Aide, Legislative Affairs, Office of the Attorney General

RE: HB585 - Protecting Election Officials Act of 2024 – **(Support w/
Amendments)**

The Office of the Attorney General requests the Committee report Governor Wes Moore's **House Bill 585 - Protecting Election Officials Act of 2024** favorably with amendments. House Bill 585 creates a new criminal offense in the Election Law Article for threatening an election official or the election official's family because of the election official's role in administering the election process.

Election officials work long hours during the election cycle, ensuring that the gears of democracy continue to turn. However, being an election official has come under scrutiny and election officials have been threatened at a much greater rate in recent election cycles.¹ According to a 2023 Brennan Center for Justice poll, election officials are under attack and leaving their jobs. More than half of the respondents to the polls expressed concerns about their safety and the safety of their colleagues. Nearly one in three election officials report knowing at

¹ Gross, Joelle and Baltz, Samuel and Suttman-Lea, Mara and Merivaki, Thessalia and Stewart III, Charles, Online Hostility Towards Local Election Officials Surged in 2020 (February 8, 2023). Available at SSRN: <https://ssrn.com/abstract=4351996> or <http://dx.doi.org/10.2139/ssrn.4351996>

least one colleague who quit their job partly or entirely because of safety concerns, increased threats, or intimidation.²

The Office of Attorney General would like to offer the following amendment. The definition of House Bill 585 “election official” includes many individuals who have a role in administering the election process, however, the definition does not include counsel to a local board of elections or counsel to the State Board. The Office of the Attorney General would respectfully ask the committee to cover the Assistant Attorneys General assigned to the Maryland State Board of Elections and the Assistant Attorney General who counsels the Baltimore City Board of Elections, since the contact information Assistant Attorneys General is made public by court filings.

Election officials should be able to carry out their duties knowing there is criminal liability for anyone who threatens them or their family simply for their role in administering an election. The Office of the Attorney General wants to ensure that our Assistant Attorneys General and local board of elections counsel, who are integral to the administration of the election process, enjoy the same protections as the other individuals already listed in House Bill 585.

For the foregoing reasons, the Office of the Attorney General requests a favorable with amendments report for House Bill 585.

cc: Governor Wes Moore
Committee Members

² *Local Election Officials Survey — April 2023*. (n.d.). Brennan Center for Justice. <https://www.brennancenter.org/our-work/research-reports/local-election-officials-survey-april-2023>