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February 21, 2024

TO: The Honorable Brain Feldman
Chair, Education, Energy, and the Environment Committee

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

RE: Senate Bill 480 - Protecting Election Officials Act of 2024 – **(Support w/
Amendments)**

The Office of the Attorney General requests the Committee report Governor Wes Moore's **Senate Bill 480 - Protecting Election Officials Act of 2024** favorable with amendments. Senate Bill 480 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 Senate Bill 480 “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 Senate Bill 480.

For the foregoing reasons, the Office of the Attorney General requests a favorable with amendments report for Senate Bill 480.

cc: Governor Wes Moore
Education, Energy and Environment 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>