

To: Hasday, Lisa (USATXN) (b) (6)
From: Johnson, Elizabeth (CRT) (b) (6)
Sent: Fri 8/26/2022 4:18:17 PM (UTC-04:00)
Subject: Consultants for (b) (5), (b) (7)(A) County

Our contact at (b) (5), (b) (7) suggested (b) (5), (b) (7)(A) (on your list) would be the best person to contact initially. Do you want to set up a call with her or would you like me to do so? Aiming for next week? Thanks!

Elizabeth Johnson

Senior Trial Attorney

Disability Rights Section

Civil Rights Division

Department of Justice

(b) (6) (office)

(b) (6) (cell)

(b) (6)

To: Kirkendall, Roberta (CRT) (b) (6)
Cc: Thomas, Charles (USAMOW) (b) (6)
From: Johnson, Elizabeth (CRT) (b) (6)
Sent: Sat 11/5/2022 5:28:05 PM (UTC-04:00)
Subject: Draft Response to (b) (5), (b) (6) County

Hi Robbie, here is a proposed response.

Mr. (b) (5), (b) (7)(A), (b) (7)(C),

We are in receipt of your email questioning the Department of Justice's ability to enter polling places or voting locations on Election Day. (b) (5)

We are happy to meet with you and Secretary of State Ashcroft on Monday. Please let us know the location of the meeting as soon as possible. Thank you. Charles Thomas

Mr. Thomas,

I have discussed the letter you sent me on October 27, 2022 regarding available ADA machines at our polling locations with the Chief Election Official of Missouri, Mr. Ashcroft, and the County Commissioners. We have several question regarding your alleged allegations. The County has 29 ADA compliant machines. We have one available at all 28 polling locations at every Federal Election. We had 11 votes on our ADA machines at the August 2, 2022 primary election. I have a Republican and Democrat supervisor at every polling location that can verify the machines are available during Federal Elections. Your allegations that we failed to provide an ADA compliant machine at each polling location in past Elections is unfounded. I have not received any complaints regarding our Election process.

We can get together and meet with you Monday, November 7 at 10:00. Missouri Statute 115.409 prohibits you from entering our polling locations on Election Day. I have posted the State Statute below. I believe if you are allowed to enter our polling locations on Election Day it would interfere with the voting process. Please let me know if you are available to meet on Monday, and please bring a copy of the alleged complaints with you and whatever paper work you may have for us to look at. I would be very interested to see what specific polling places have gotten the complaints. We probably will meet at the Secretary of State's Office, 600 W Main Street, Jefferson City Missouri. The Secretary of State is the "Chief Election Official" in the State of Missouri and I believe that you should have contacted them with any questions or complaints regarding a Local Election Authority.

115.409. Who may be admitted to polling place. — Except election authority personnel, election judges, watchers and challengers appointed pursuant to section 115.105 or 115.107, law enforcement officials at the request of election officials or in the line of duty, minor children under the age of eighteen accompanying an adult who is in the process of voting, international observers who have registered as such with the election authority, persons designated by the election authority to administer a simulated youth election for persons ineligible to vote because of their age, members of the news media who present identification satisfactory to the election judges and who are present only for the purpose of bona fide news coverage except as provided in subdivision (18) of section 115.637, provided that such coverage does not disclose how any voter cast the voter's ballot on any question or candidate or in the case of a primary election on which party ballot they voted or does not interfere with the general conduct of the election as determined by the election judges or election authority, and registered voters who are eligible to vote at the polling place, no person shall be admitted to a polling place.

Thanks,

(b) (5), (b) (7)(A)

Elizabeth Johnson
Senior Trial Attorney
Disability Rights Section
Civil Rights Division
Department of Justice

(b) (6) (office)

(b) (6) (cell)

(b) (6)

To: Thomas, Charles (USAMOW) (b) (6)
From: Johnson, Elizabeth (CRT) (b) (6)
Sent: Thur 11/3/2022 2:22:56 PM (UTC-04:00)
Subject: FW: Map Request for (b) (5), (b) (7) County MO (b) (7)(A)
[Polling Co clipped.pdf](#)

From: Stedman, Kelly (CRT) (b) (6)
Sent: Monday, October 31, 2022 4:17 PM
To: Johnson, Elizabeth (CRT) (b) (6); Brooks, Jonathan (CRT) (b) (6)
Subject: RE: Map Request for (b) (5), (b) (7)(A) County MO (b) (5), (b) (7)(A)
Hi Elizabeth
Attached is a pdf for (b) (5), (b) (7) County. Please let me know if you have any changes/revisions
Thanks
Kelly

From: Johnson, Elizabeth (CRT) (b) (6)
Sent: Thursday, October 27, 2022 9:29 PM
To: Brooks, Jonathan (CRT) (b) (6)
Cc: Stedman, Kelly (CRT) (b) (6)
Subject: Map Request for (b) (5), (b) (7) County MO (b) (5), (b) (7)(A)
Hello Jonathan, just wanted to let you know that I am putting in a request for a map for (b) (5), (b) (7) County, MO. Small County with only (b) (7)(A). Our trip to (b) (5), (b) (7)(A) County (b) (5), (b) (7)(A).
I don't know if you all will have time to do (b) (5), (b) (7) County? We leave on Sunday, November 6. Just let me know. Thanks!
Also, I am attaching the list of polling places in case you can do this. Thanks again.
Elizabeth Johnson
Senior Trial Attorney
Disability Rights Section
Civil Rights Division
Department of Justice
(b) (6) (office)
(b) (6) (cell)
(b) (6)

(b) (5), (b) (7)(A)

To: Thomas, Charles (USAMOW)(b) (6)
From: Johnson, Elizabeth (CRT)(b) (b)

Sent: Tue 11/1/2022 4:02:54 PM (UTC-04:00)
Subject: Missouri Election Law

Hi Charles, looks like we are okay for going in to polling places: (b) (5), (b) (7)(A)

Elizabeth Johnson
Senior Trial Attorney
Disability Rights Section
Civil Rights Division
Department of Justice
(b) (6) (office)
(b) (6) (cell)
(b) (6)

To: Hasday, Lisa (USATXN) (b) (6)
From: Johnson, Elizabeth (CRT) (b) (6)
Sent: Tue 9/27/2022 11:58:35 AM (UTC-04:00)
Subject: RE: Another question for (b) (5), (b) (7)(A) County

Yes, thanks. And no worries about any delay—I know you are incredibly busy! Seems like we are all pushed to the extremes these days with caseloads.

From: Hasday, Lisa (USATXN) (b) (6)
Sent: Tuesday, September 27, 2022 10:21 AM
To: Johnson, Elizabeth (CRT) (b) (6) >
Subject: RE: Another question for (b) (5), (b) (7)(A) County

Hi Elizabeth,
So sorry about my delay getting back to you on all this. Between a big case of mine that just settled late last week and a brief I had due yesterday, I have been busy! I think your proposed email looks great. I haven't sent any further emails to them yet, so I could add your additional question. Should I go ahead with the email, copying you?
Thanks,
Lisa

Lisa R. Hasday, Assistant U.S. Attorney
(b) (6)

From: Johnson, Elizabeth (CRT) (b) (6)
Sent: Monday, September 26, 2022 8:52 PM
To: Hasday, Lisa (USATXN) (b) (6)
Subject: Another question for (b) (5), (b) (7)(A) County

Hi Lisa, when you send your email, or if you have already, send another email requesting the list of polling places, including early voting and election day. I would like to get them mapped out. Online, I didn't see a master list but only pulling them up one by one.
Thanks so much. Elizabeth
Elizabeth Johnson
Senior Trial Attorney
Disability Rights Section
Civil Rights Division
Department of Justice
(b) (6) (office)
(b) (6) (cell)
(b) (6)

Cc: Kirkendall, Roberta (CRT) (b) (6); Ray, Jeffrey (USAMOW) (b) (6) Moore, Teresa
(USAMOW) (b) (6) Ketchmark, David (USAMOW) (b) (6)
To: Thomas, Charles (USAMOW) (b) (6)
From: Johnson, Elizabeth (CRT) (b) (6)
Sent: Sat 11/5/2022 7:51:37 PM (UTC-04:00)
Subject: Re: Charles, Robbie has to run this up the chain. Stay tuned

Charles, we do not intend (b) (5)

. The Voting Section said (b) (7)(A)

On Nov 5, 2022, at 7:38 PM, Thomas, Charles (USAMOW) (b) (6) wrote:

Elizabeth, Robbie — it seems to me that the (b) (5), (b) (7)(A)

Sent from my iPhone

On Nov 5, 2022, at 5:41 PM, Johnson, Elizabeth (CRT) (b) (6) wrote:

Elizabeth Johnson
Senior Trial Attorney
Disability Rights Section
Civil Rights Division
Department of Justice

(b) (6) (office)

(b) (6) (cell)

(b) (6)

To: Thomas, Charles (USAMOW) (b) (6); Eduardo, Ame (CRT) (b) (6) Kirkendall, Roberta
(CRT) (b) (6); Hutcheson, Sean (USAMOW) (b) (6)
From: Johnson, Elizabeth (CRT) (b) (6)
Sent: Mon 11/14/2022 6:09:58 PM (UTC-05:00)
Subject: RE: Missouri voting statutes

Hi Charles, It was (b) (5), (b) (7)(A) County, though, that prohibited us from entering the polling place. The SOS's office said it was Clerk
(b) (5), (b) (7)(A) decision. (b) (5), (b) (7)(A)
We should discuss. Thanks!

From: Thomas, Charles (USAMOW) (b) (6)
Sent: Monday, November 14, 2022 5:11 PM
To: Johnson, Elizabeth (CRT) (b) (6); Eduardo, Ame (CRT) <(b) (6)>; Kirkendall, Roberta
(CRT) (b) (6); Hutcheson, Sean (USAMOW) (b) (6)
Subject: Missouri voting statutes

On the attached, I have highlighted some portions of Missouri statutes to be considered in conjunction with the (b) (5), (b) (7)(A)
(b) (5), (b) (7)(A)

Charles M. Thomas
Assistant United States Attorney
Western District of Missouri
United States Courthouse
400 East 9th Street, Room 5510
Kansas City, Missouri 64106
(b) (6)
CELL: (b) (6)

To: Johnson, Elizabeth (CRT) (b) (6)
From: Hasday, Lisa (USATXN) (b) (6)
Sent: Fri 10/21/2022 7:06:54 PM (UTC-04:00)
Subject: Re: (b) (5), (b) (7)(A) COUNTY FINAL survey form voting machines
(b) (5), (b) (7)(A) [COUNTY draft survey form voting machines.docx](#)

Sounds good, thanks!

Lisa R. Hasday, Assistant U.S. Attorney
(b) (6)

On Oct 21, 2022, at 6:05 PM, Johnson, Elizabeth (CRT) <(b) (6)> wrote:

Just wanted to make sure you have the final. I'll bring 50 copies

(b) (5), (b) (7)(A)

(b) (5), (b) (7)(A)

(b) (5), (b) (7)(A)

To: Hasday, Lisa (USATXN) (b) (6)
From: Johnson, Elizabeth (CRT) (b) (6)
Sent: Wed 11/16/2022 5:16:01 PM (UTC-05:00)
Subject: Re: (b) (5), (b) (7)(A) County

Thanks! That's horrible. Sounds like a (b) (5), (b) (7)(A)
(b) (6). Yes, let's talk when I am back. Thanks so much!

On Nov 15, 2022, at 3:33 PM, Hasday, Lisa (USATXN) <(b) (6)> wrote:

Hi Elizabeth,

Hope all is well! This can wait until you're back from leave, but while everything is fresh in my head I wanted to let you know about the phone call that Gwen and I had with (b) (5), (b) (7)(A)

I'll circle back with you when you're back in the office!

Thanks,

Lisa

Lisa R. Hasday, Assistant U.S. Attorney

(b) (6)

From: Johnson, Elizabeth (CRT) (b) (6)
Sent: Wednesday, November 9, 2022 12:37 PM
To: Hasday, Lisa (USATXN) (b) (6)
Subject: Re: (b) (5), (b) (7)(A) County

Hi Lisa, that sounds like a good plan as I am out for a bit. But reachable in emergencies! Thanks.

On Nov 9, 2022, at 11:59 AM, Hasday, Lisa (USATXN) (b) (6) wrote:

Hi! Hope all is well! I see you have an out-of-office message set up, but I thought I'd send a message anyway! I'm just circling back about contacting the [REDACTED] County complainant to see how her experience was this election season. If I don't hear from you, I'll set something up for me and Gwen to talk to her and let you know what happens.

Thanks,

Lisa

Lisa R. Hasday, Assistant U.S. Attorney

† (b) (6)

To: Thomas, Charles (USAMOW) (b) (6)
From: Johnson, Elizabeth (CRT) (b) (6)
Sent: Wed 10/26/2022 4:36:50 PM (UTC-04:00)
Subject: (b) (6), (b) (7) County Complainant
(b) (7)(A) [Complaint Filed with the United States Department of Justice 9.30.21.pdf](#)

Hi Charles, do you want to contact the complainant and set up a telephone call? Thanks!

(b) (6), (b) (7)(C)

Elizabeth Johnson
Senior Trial Attorney
Disability Rights Section
Civil Rights Division
Department of Justice

(b) (6) (office)

(b) (6) (cell)

(b) (6)

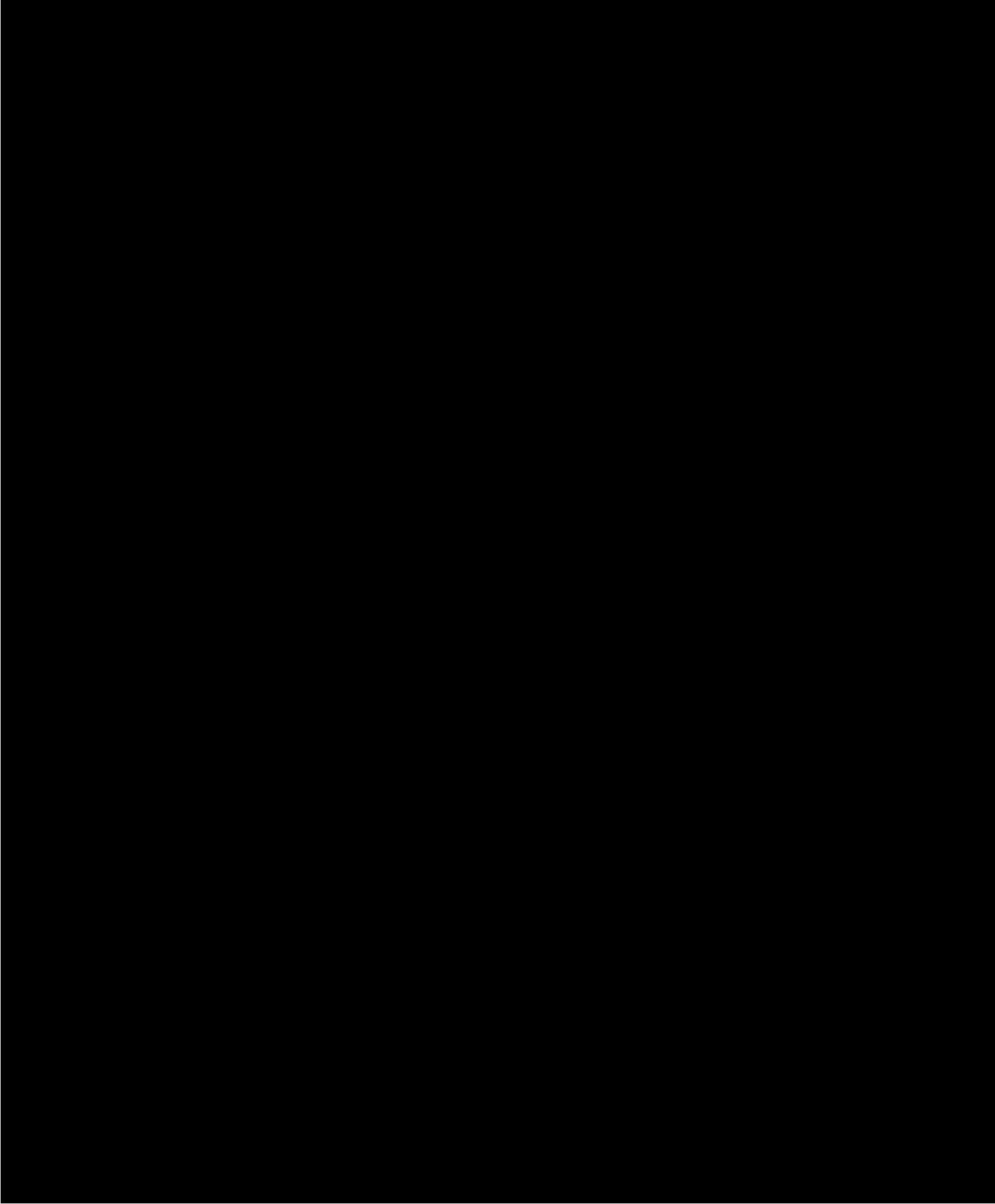
Complaint Filed with the United States Department of Justice on

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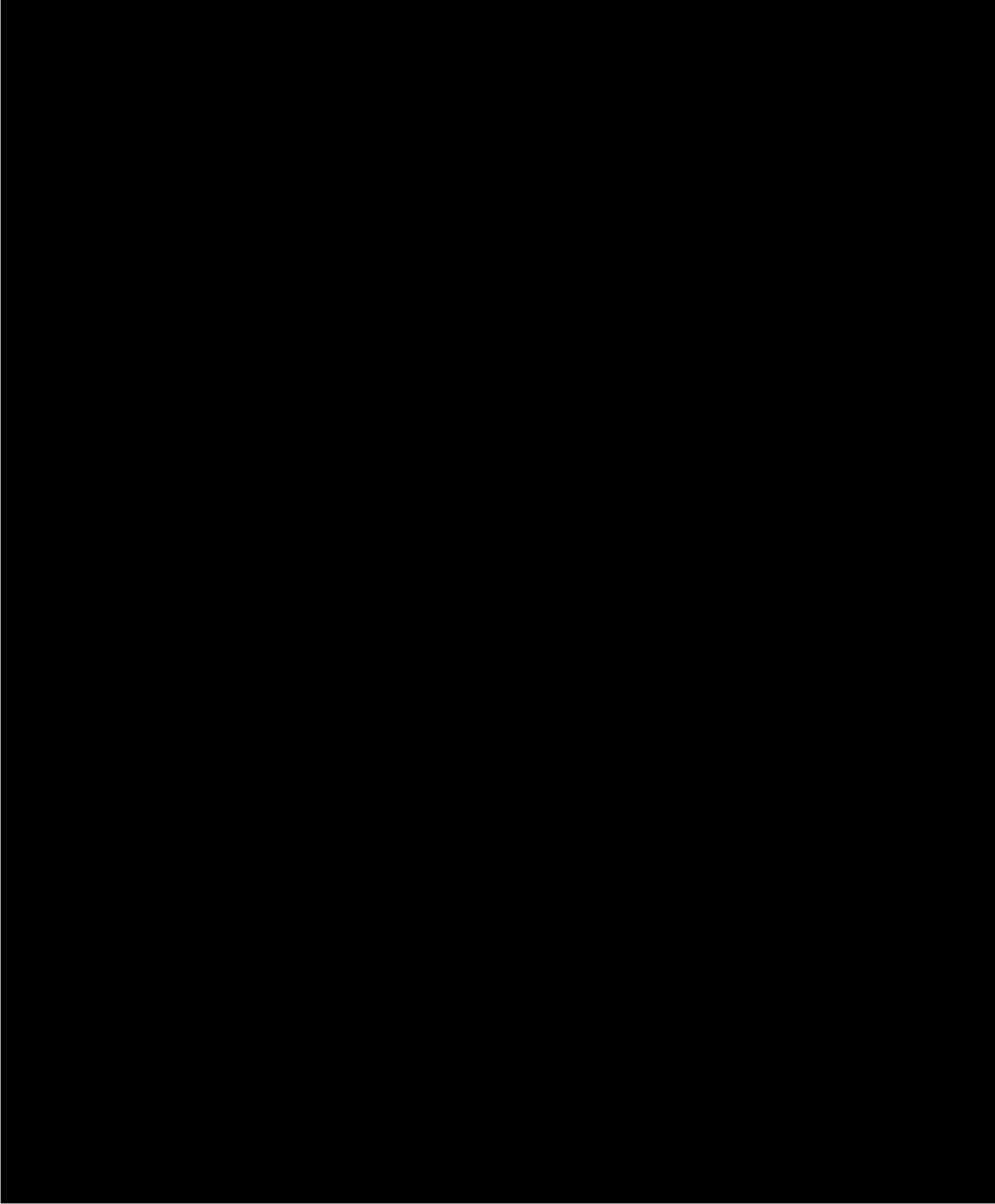
(b) (7)(A), (b) (6), (b) (7)(C)



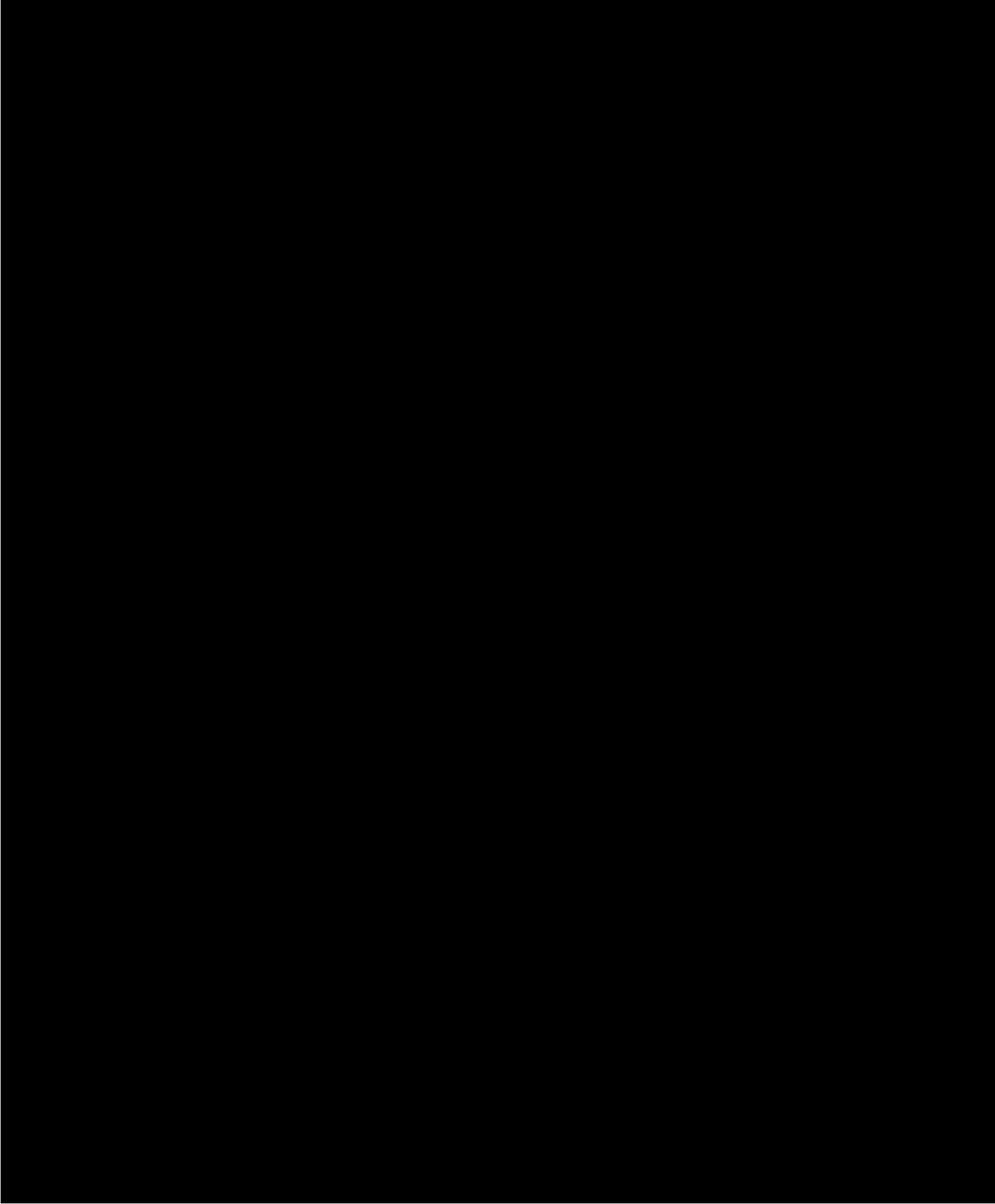
(b) (7)(A), (b) (6), (b) (7)(C)



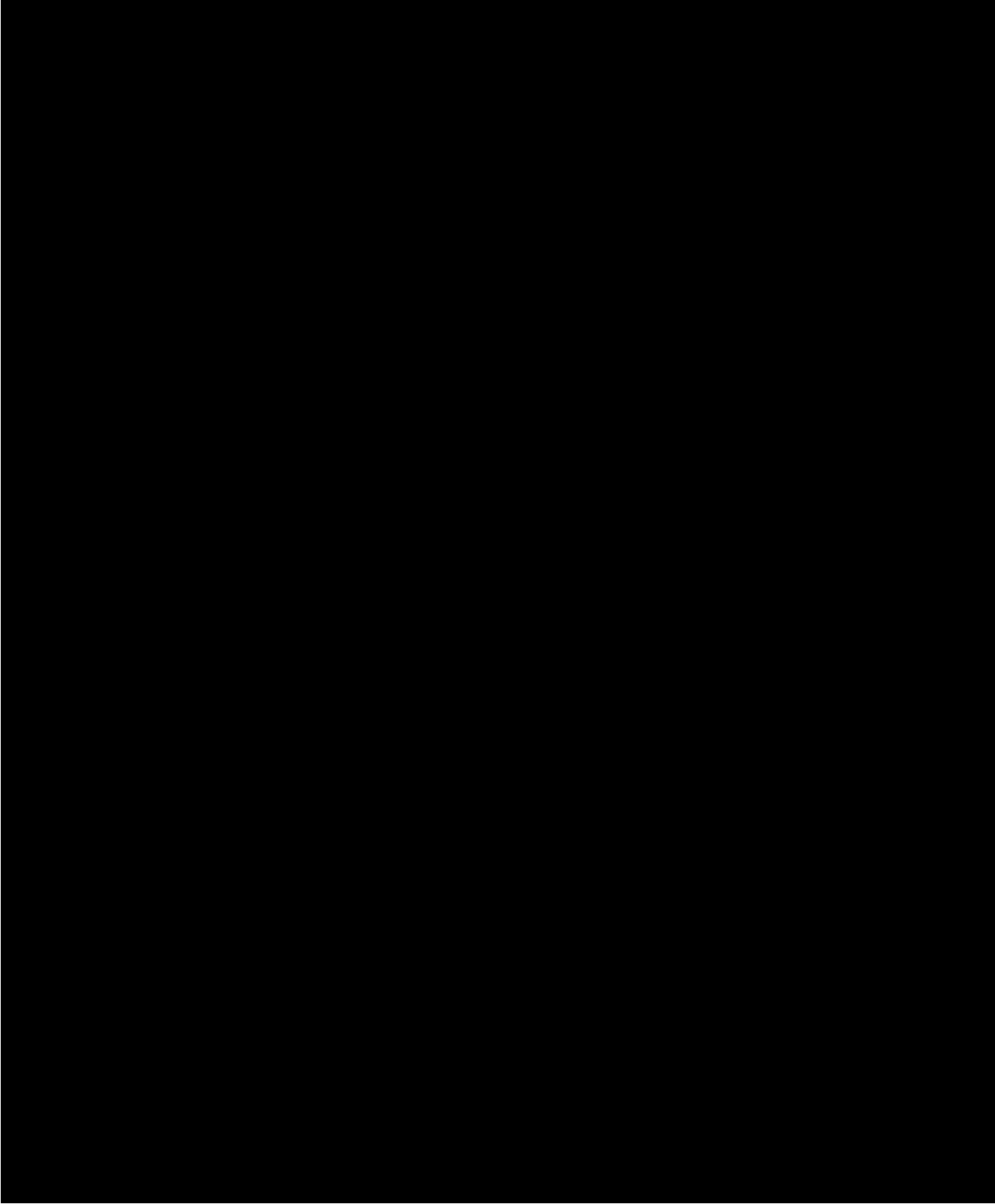
(b) (7)(A), (b) (6), (b) (7)(C)



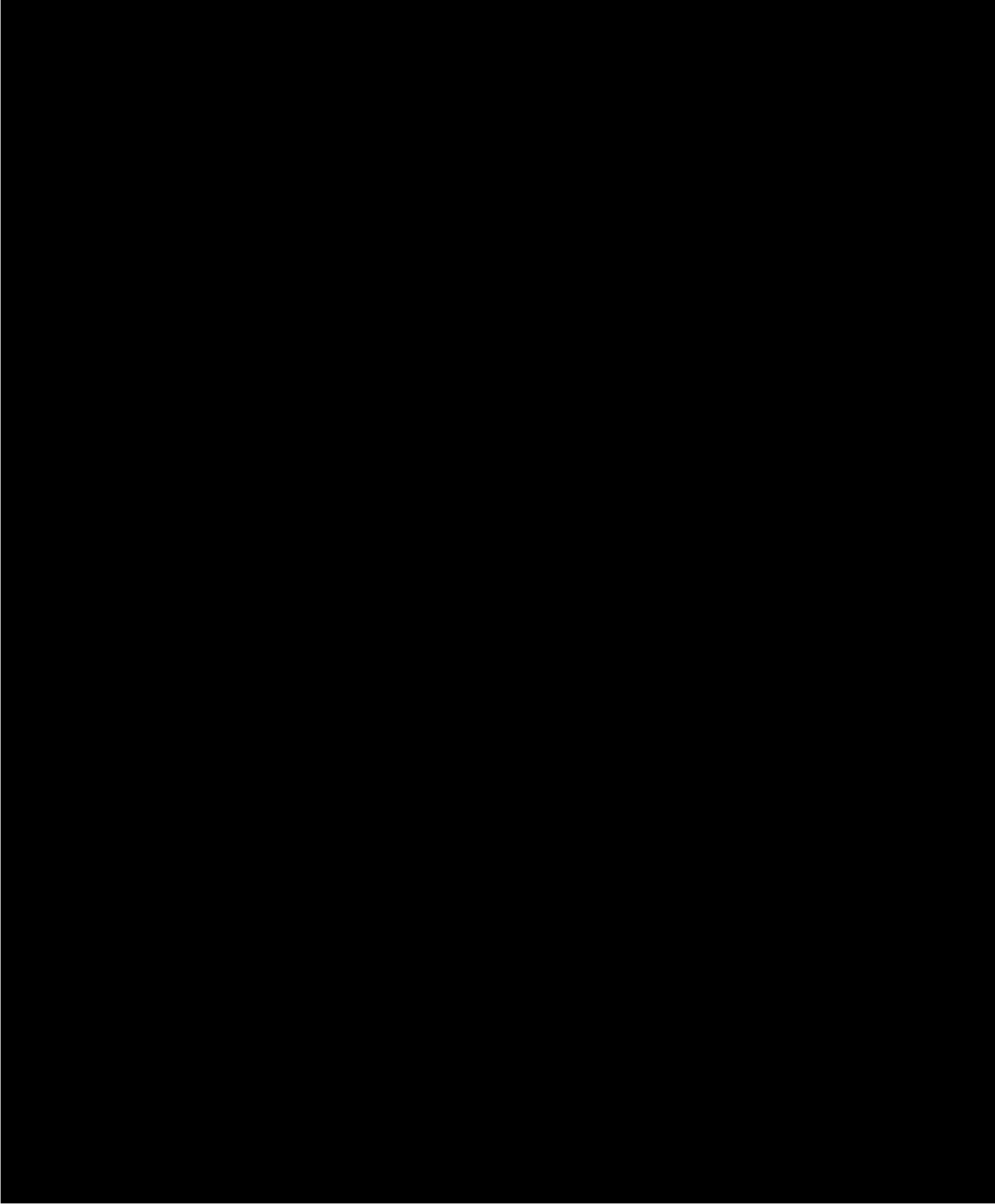
(b) (7)(A), (b) (6), (b) (7)(C)



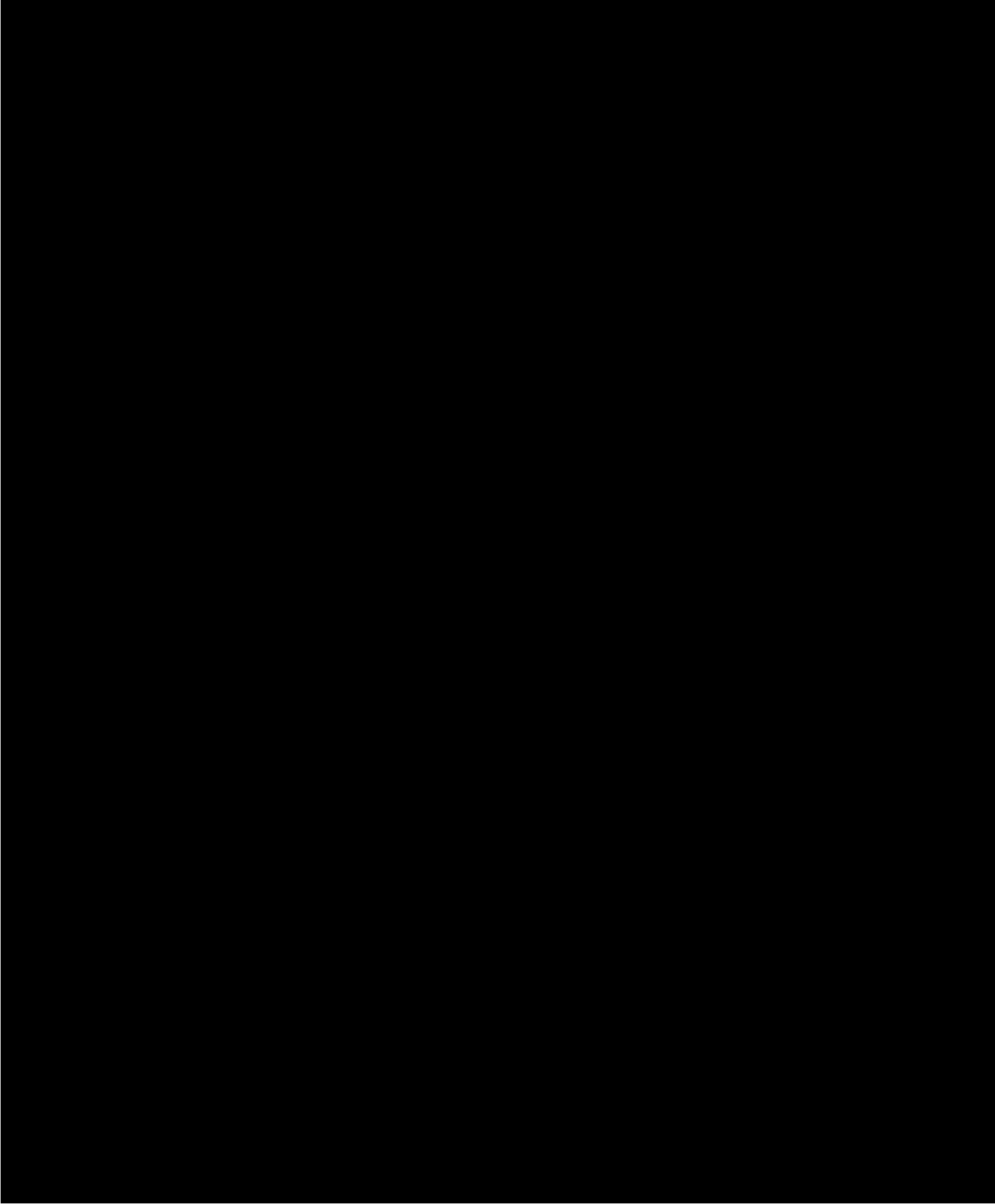
(b) (7)(A), (b) (6), (b) (7)(C)



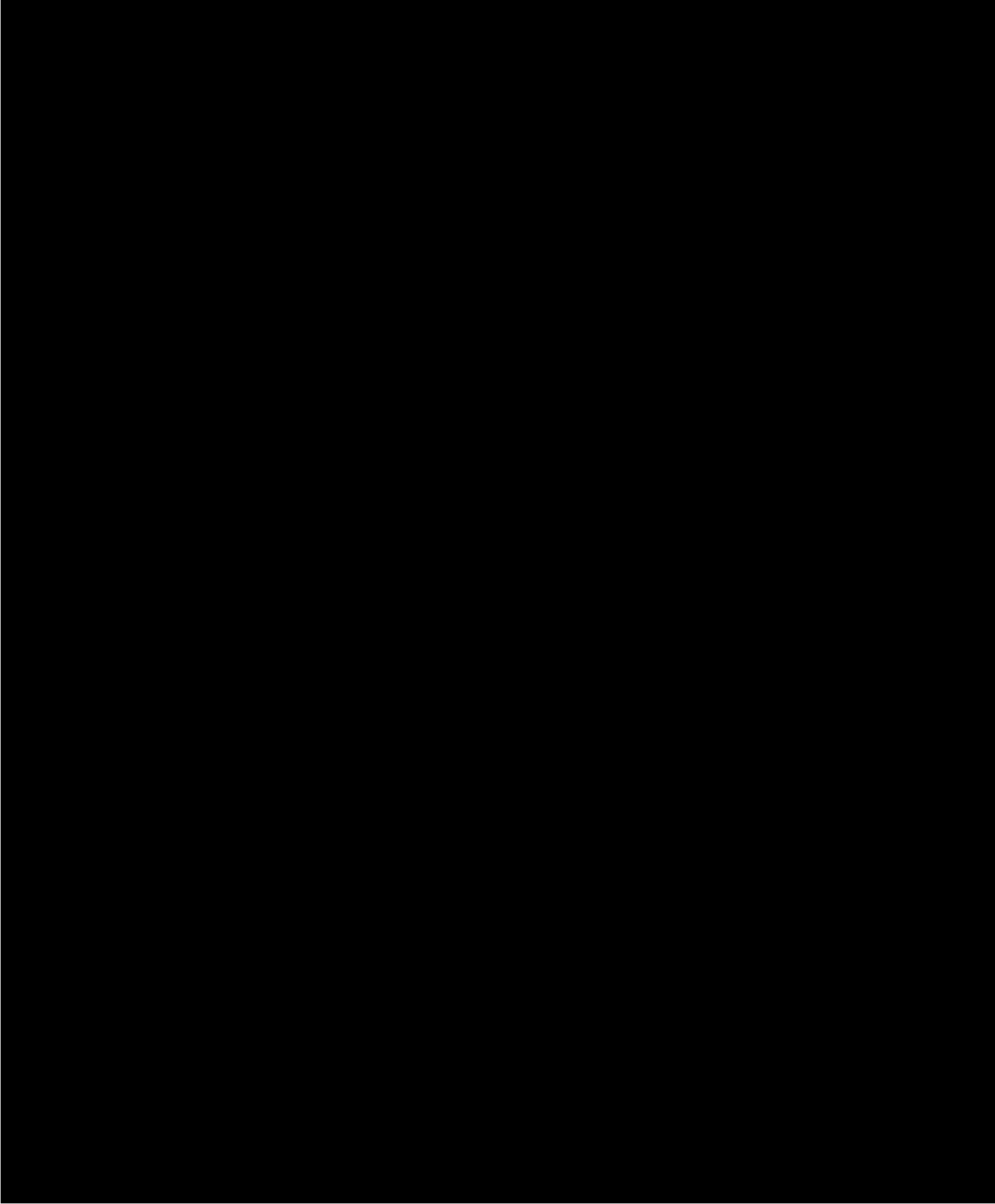
(b) (7)(A), (b) (6), (b) (7)(C)



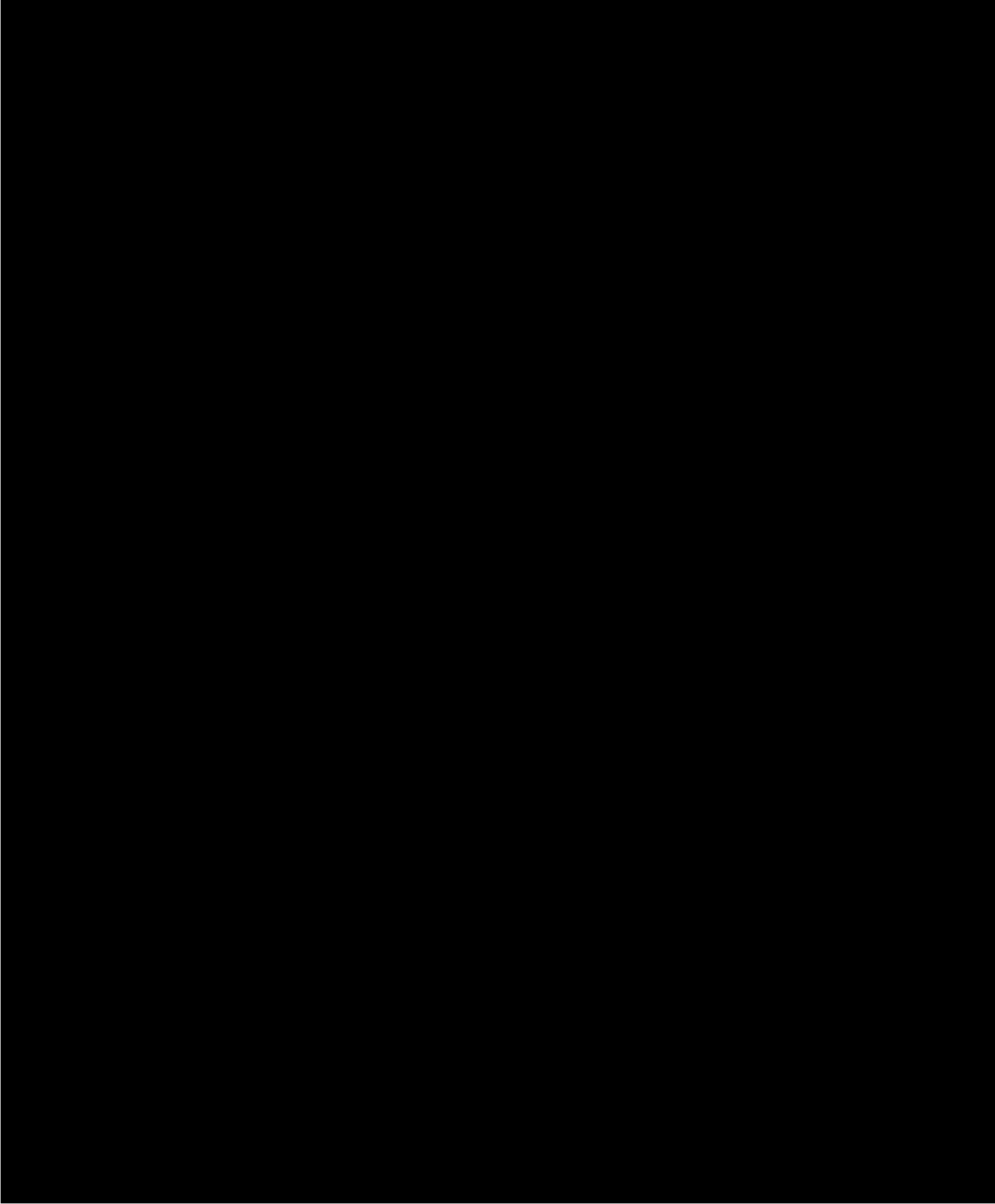
(b) (7)(A), (b) (6), (b) (7)(C)



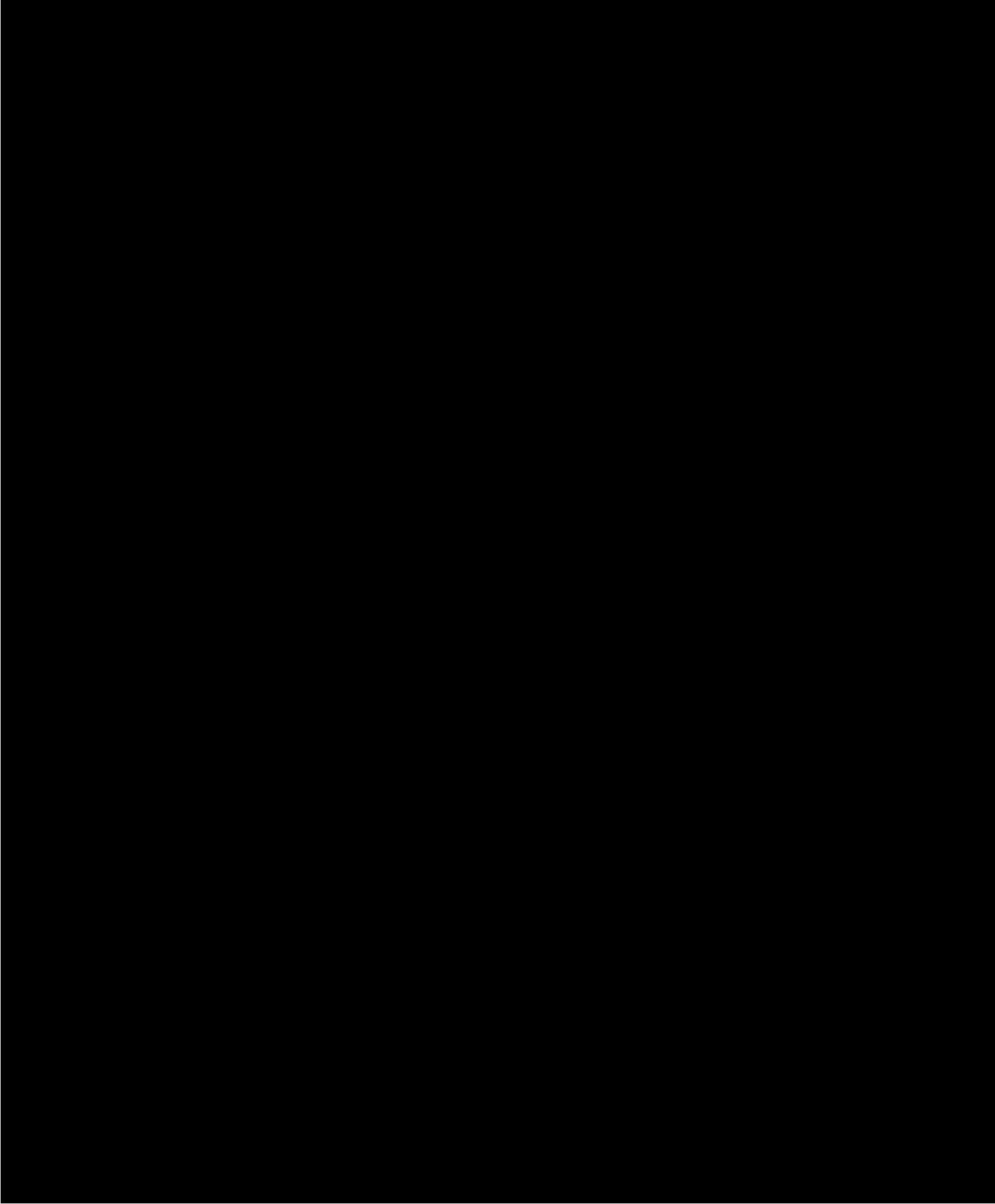
(b) (7)(A), (b) (6), (b) (7)(C)



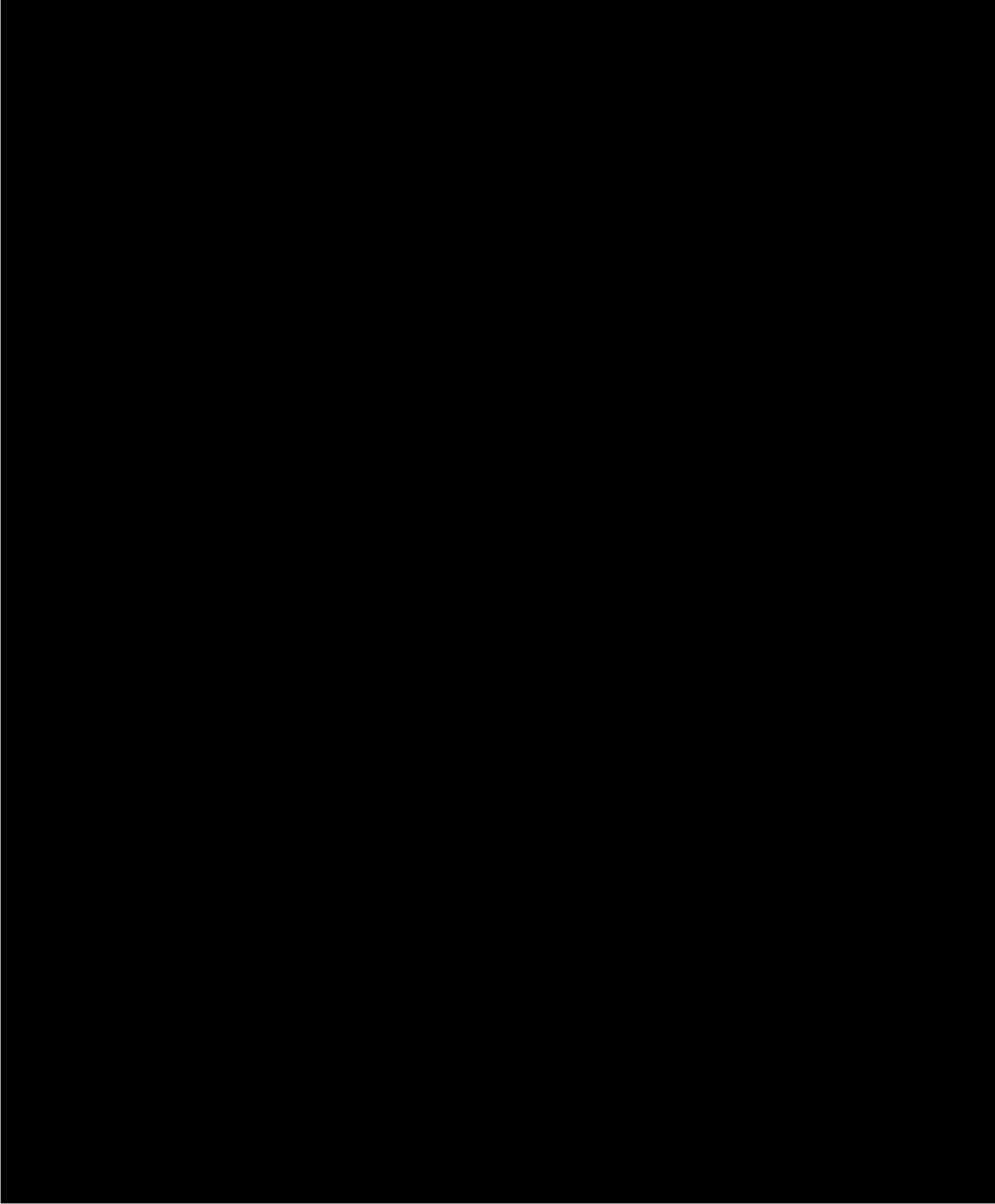
(b) (7)(A), (b) (6), (b) (7)(C)



(b) (7)(A), (b) (6), (b) (7)(C)



(b) (7)(A), (b) (6), (b) (7)(C)



To: Hasday, Lisa (USATXN) (b) (6)
From: Johnson, Elizabeth (CRT) (b) (6)

Sent: Thur 10/27/2022 12:00:48 PM (UTC-04:00)
Subject: RE: USA MDNC (b) (7)(A)

We should at least (b) (5), (b) (7)(A). We can discuss after the election. Thanks.

From: Hasday, Lisa (USATXN) (b) (6)

Sent: Thursday, October 27, 2022 11:52 AM

To: Johnson, Elizabeth (CRT) (b) (6)

Subject: RE: USA MDNC (b) (7)(A)

Hi Elizabeth! Just wanted to update you that my office's position is that, due to the (b) (5), (b) (7)(A)

. I plan to follow up with the complainant after Election Day.

Lisa R. Hasday, Assistant U.S. Attorney

(b) (6)

From: Hasday, Lisa (USATXN)

Sent: Monday, October 24, 2022 3:16 PM

To: Johnson, Elizabeth (CRT) (b) (6)

Subject: RE: USA MDNC (b) (7)(A)

Thanks, Elizabeth I'm checking with my office about how they want to proceed

Lisa R. Hasday, Assistant U.S. Attorney

(b) (6)

From: Johnson, Elizabeth (CRT) (b) (6)

Sent: Monday, October 24, 2022 12:58 PM

To: Hasday, Lisa (USATXN) <lhasday@usa.doj.gov>

Subject: USA MDNC (b) (7)(A)

Sample lor

To: Johnson, Elizabeth (CRT) (b) (6)
From: Hasday, Lisa (USATXN) (b) (6)

Yes, definitely! I've also hopefully planted a seed in the mind of my supervisor that we should (b) (5), (b) (7)(A)

Lisa R. Hasday, Assistant U.S. Attorney
 (b) (6)

From: Johnson, Elizabeth (CRT) (b) (6)

Duplicative Material p.27

[illegible]

To: Kirkendall, Roberta (CRT) (b) (6) Thomas, Charles (USAMOW) (b) (6)
From: Johnson, Elizabeth (CRT) (b) (6)
Sent: Sat 11/5/2022 5:35:50 PM (UTC-04:00)
Subject: FW: Missouri and SOS Ashcroft

FYI

From: Herren, Chris (CRT) (b) (6)
Sent: Saturday, November 5, 2022 5:34 PM
To: Johnson, Elizabeth (CRT) (b) (6)
Cc: Russ, Bert (CRT) (b) (6)
Subject: Re: Missouri and SOS Ashcroft

Hi Elizabeth, we have monitored in Missouri a number times, likely most recently 2016. I recall (b) (5), (b) (7)(A)

Just let us know what you decide, so we can make sure the press release is accurate.
Good luck. Thanks

On Nov 5, 2022, at 5:10 PM, Johnson, Elizabeth (CRT) (b) (6) wrote:

Hi Chris, we just got word that (b) (5), (b) (7)(A)

Thanks so much. Elizabeth

P.S., unlike (b) (5), (b) (7)(A)

Elizabeth Johnson
Senior Trial Attorney
Disability Rights Section
Civil Rights Division
Department of Justice

(b) (6) (office)
(b) (6) (cell)
(b) (6)

(b) (6), (b) (7)(A), (b) (7)(C), (b) (7)(D)



(b) (6), (b) (7)(A), (b) (7)(C), (b) (7)(D)



(b) (6), (b) (7)(A), (b) (7)(C), (b) (7)(D)



(b) (6), (b) (7)(A), (b) (7)(C), (b) (7)(D)



To: Herren, Chris (CRT) (b) (6)
From: Johnson, Elizabeth (CRT) (b) (6)

Sent: Wed 3/9/2022 3:29:07 PM (UTC-05:00)

Subject: FW: Texas primary voting issues
[justice department complaint concerning lack of access while voting.docx](#)
[justice department complaint concerning lack of access while voting.docx](#)
[justice department complaint concerning lack of access while voting.docx](#)

All 3 complaints are duplicates.
Deleted two copies. One remains.

Hi Chris, the USAO in the (b) (5), (b) (7)(A)

Please let me know if you have any questions or if there is someone in Voting I should update about (b) (5), (b) (7)(A). Thank you. Elizabeth

Duplicative Material p.30

[Redacted content]

My name is (b) (5), (b) (7)(A), (b) (7)(C)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

To: Hasday, Lisa (USATXN)(b) (6) : 'Byers, Gwen G. (USATXN)(b) (6)
From: Johnson, Elizabeth (CRT)(b) (6)

Sent: Wed 3/9/2022 3:30:08 PM (UTC-05:00)

Subject: FW: FW: Texas primary voting issues

[justice department complaint concerning lack of access while voting.docx](#)
[justice department complaint concerning lack of access while voting.docx](#)
[justice department complaint concerning lack of access while voting.docx](#)

All 3 complaints are duplicates.
Deleted two copies. One
remains.

Serendipity, yes?

Duplicative Material p.30

[Redacted content]

My name is (b) (5), (b) (7)(A), (b) (7)(C)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

To: Johnson, Elizabeth (CRT) (b) (6)
From: Dellheim, Richard (CRT) (b) (6)
Sent: Thur 4/7/2022 10:48:56 PM (UTC-04:00)
Subject: Re: Texas primary voting issues

Hi Elizabeth. I don't believe we've worked with anyone who (b) (5)
I'll check with Chris to be sure.

On Apr 7, 2022, at 10:21 PM, Johnson, Elizabeth (CRT) (b) (6) wrote:

Hi Richard, Speaking of (b) (5), (b) (7)(A)

Any suggestions of even who we could speak with to get us on the right track would be appreciated. Thank you! Elizabeth

From: Dellheim, Richard (CRT)
Sent: Wednesday, April 6, 2022 10:30 AM
To: Johnson, Elizabeth (CRT) (b) (6)
Subject: Re: Texas primary voting issues

Hi Elizabeth. Sorry for the delayed response. No concerns, although the complaint also seems to (b) (5), (b) (7)(A)
(b) (5), (b) (7)(A) Please keep us posted on what you learn.
Thanks very much.

On Mar 29, 2022, at 6:04 PM, Johnson, Elizabeth (CRT) (b) (6) wrote:

Hi Richard, I meant to ask you all if you have (b) (5), (b) (7)(A)
Please let me know. Thank you. Elizabeth

From: Hasday, Lisa (USATXN)
Sent: Tuesday, March 29, 2022 5:40 PM
To: Johnson, Elizabeth (CRT) (b) (6)
Cc: Byers, Gwen G. (USATXN) (b) (6)
Subject: RE: FW: Texas primary voting issues

Hi Elizabeth,
Hope you're doing well! I'm just following up to see if you were able to discuss this complaint with the Voting Rights Section and if you'd heard back from them.

Thanks,

Lisa

Lisa R. Hasday, Assistant U.S. Attorney

(b) (6)

Duplicative Material p.30

To: Westfall, Elizabeth (CRT) (b) (6); Johnson, Elizabeth (CRT) (b) (6);
Lanvers, Charlotte (CRT) (b) (6) gov; Kim, Christine (CRT) (b) (6)
From: Lewis, Adam (CRT) (b) (6)
Sent: Fri 4/8/2022 10:16:32 AM (UTC-04:00)
Subject: RE: Looking for your thoughts FW: FW: Texas primary voting issues

Unfortunately, I don't have any other good ideas and defer to the superior expertise of everyone else on this chain. But I do hope the
(b) (5), (b) (7)(A)

From: Westfall, Elizabeth (CRT)
Sent: Friday, April 8, 2022 9:37 AM
To: Johnson, Elizabeth (CRT) (b) (6); Lanvers, Charlotte (CRT) (b) (6); Kim,
Christine (CRT) (b) (6); Lewis, Adam (CRT) (b) (6)
Subject: RE: Looking for your thoughts FW: FW: Texas primary voting issues
Hi – thanks for bringing this to our attention. My only thought is that perhaps (b) (5), (b) (7)(A)

From: Johnson, Elizabeth (CRT)
Sent: Thursday, April 7, 2022 10:15 PM
To: Westfall, Elizabeth (CRT) (b) (6); Lanvers, Charlotte (CRT) (b) (6); Kim,
Christine (CRT) (b) (6); Lewis, Adam (CRT) (b) (6)
Subject: Looking for your thoughts FW: FW: Texas primary voting issues
Importance: High

Hi all, I believe the (b) (5), (b) (7)(A)

I was also looking for (b) (5), (b) (7)(A)

Any thoughts? Thanks so much. EJ
From: Hasday, Lisa (USATXN)
Sent: Wednesday, March 9, 2022 3:33 PM
To: Johnson, Elizabeth (CRT) (b) (6); Byers, Gwen G. (USATXN) (b) (6)
Subject: RE: FW: Texas primary voting issues

Yes, seems like it!

Lisa R. Hasday, Assistant U.S. Attorney
(b) (6)

Duplicative Material p.30

To: Johnson, Elizabeth (CRT) (b) (6); Kim, Christine (CRT) (b) (6); Lanvers, Charlotte (CRT) (b) (6); Lewis, Adam (CRT) (b) (6)
From: Westfall, Elizabeth (CRT) (b) (6)

Sent: Mon 4/11/2022 7:45:56 AM (UTC-04:00)
Subject: RE: Looking for your thoughts FW: FW: Texas primary voting issues

Hi, EJ, I defer to you on whether we should (b) (5), (b) (7)(A)

From: Johnson, Elizabeth (CRT)
Sent: Friday, April 8, 2022 6:49 PM
To: Kim, Christine (CRT) (b) (6); Westfall, Elizabeth (CRT) (b) (6); Lanvers, Charlotte (CRT) (b) (6); Lewis, Adam (CRT) (b) (6)
Subject: RE: Looking for your thoughts FW: FW: Texas primary voting issues
Christine, Thank you so much for your thoughtful advice. Much to follow up on. (b) (7)(A), (b) (5)
(b) (5). It was not clear from their website.
Elizabeth, do you think (b) (5), (b) (7)(A)

Thanks again. EJ
From: Kim, Christine (CRT)
Sent: Friday, April 8, 2022 4:42 PM
To: Johnson, Elizabeth (CRT) <(b) (6)>; Westfall, Elizabeth (CRT) <(b) (6)> Lanvers, Charlotte (CRT) <(b) (6)>; Lewis, Adam (CRT) <(b) (6)>
Subject: RE: Looking for your thoughts FW: FW: Texas primary voting issues

Hello,
I would recommend talking with (b) (5), (b) (7)(A), (b) (6), (b) (7)(C)
(b) (7)(A), (b) (6) would be a good person to ask for recommendations too.
It seems like (b) (7)(A), (b) (5) strategy was (b) (5), (b) (7)(A)

Very interesting. (b) (7)(A), (b) (5)

Happy to answer any questions or be helpful! Best of luck!
Thank you,
Christine

Duplicative Material p.39



U.S. Department of Justice

Civil Rights Division

*Disability Rights Section - NYA
950 Pennsylvania Ave, NW
Washington, DC 20530*

February 11, 2015

FEDERAL EXPRESS

Janice Bonenfant
Concord City Clerk
City Clerk's Office
City Hall
41 Green St.
Concord, NH 03301

Re: ADA Investigation of City Clerk Regarding Accessible Ballots, DJ # 204-47-62

Dear Clerk Bonenfant:

In response to a complaint filed with the U.S. Department of Justice (the Department) regarding the accessibility of Concord's voting practices and procedures, the Department has opened an investigation to determine whether any violations of title II of the Americans with Disabilities Act of 1990, as amended (ADA), 42 U.S.C. §§ 12131-12134 and the Department's implementing regulation, 28 C.F.R. Part 35, have occurred. Title II of the ADA prohibits discrimination against individuals with disabilities by public entities. The text of the ADA, the Department's regulation, and many technical assistance publications can also be accessed on our ADA Home Page at www.ada.gov. <http://www.ada.gov>.

The complaint alleges that the City of Concord fails to provide an accessible ballot to voters who are blind at state and local elections, where only paper ballots are offered to voters, thus depriving voters who are blind the same amount of privacy and independence afforded to voters without disabilities. Specifically, the complainant, who is blind, alleges that when he went to vote in the November 2013 municipal election, he asked to use the Accessible Voting Telephone System (AVTS) so he could vote privately and independently. The complainant was told that AVTS was not available in the municipal election, only paper ballots were available.

The ADA authorizes the Department to investigate alleged violations of title II. 28 C.F.R. § 35.172. We are also authorized to take appropriate action, including filing an enforcement action in U.S. district court, to enforce title II if voluntary compliance is not achieved, and to seek injunctive relief and monetary damages. 28 C.F.R. § 35.174.

The Department would like to resolve this matter expeditiously and without resorting to litigation. We thus seek your cooperation in providing certain preliminary information. Please provide the following information, in writing, within 30 days of the date of this letter:

1. The name, address, and telephone number of the individual to whom this office should direct any future questions and correspondence. Please indicate if this person has authority to negotiate a settlement of this matter. If you are represented by an attorney in this matter, please provide the attorney's name, address, and telephone number;
2. Your response to the allegations of the complaint and any additional information you consider relevant to resolution of the complaint;
3. The City of Concord's policies and procedures regarding the provision of accessible voting systems or accessible ballots in any and all elections; and
4. A description of the different voting systems used in elections and the process for casting and counting the ballots under each system.

Please be advised that no one may intimidate, threaten, coerce, or engage in other discriminatory conduct against anyone because he or she has filed a complaint with the Department of Justice, or otherwise either taken action or participated in an action to secure rights protected by the ADA. Such behavior would constitute an additional ADA violation.

We strongly recommend that you consult with this office before making any operational changes to resolve this complaint's allegations. Any such changes must comply with the ADA. Any modifications you undertake which are not in compliance with those requirements may need to be redone before this complaint can be resolved.

If you have questions or concerns, feel free to contact me at (b) (6) or by email at (b) (6)

Sincerely,

Elizabeth Johnson
Senior Trial Attorney
Disability Rights Section

cc: Michael McCormack, Assistant U.S. Attorney, District of New Hampshire

From: Hasday, Lisa (USATXN) [REDACTED]

Sent: Tue 5/10/2022 10:46:00 AM (UTC-04)

Subject: RE: FW: Texas primary voting issues

Thanks, Elizabeth!

(b) (6)

(b) (5), (b) (7)(A)

(b) (5), (b) (7)(A)

To: Johnson, Elizabeth (CRT) (b) (6)
Cc: Byers, Gwen G. (USATXN) (b) (6)
From: Hasday, Lisa (USATXN) (b) (6)

Sent: Wed 5/18/2022 5:23:20 PM (UTC-04:00)
Subject: RE: FW: Texas primary voting issues
[Request for Information to \(b\) \(5\), \(b\) \(7\)\(A\), \(b\) \(7\)\(C\) County.docx](#)

Hi Elizabeth,
Hope all is well! Gwen and I spoke to (b) (5), (b) (7)(A), (b) (7)(C) yesterday and had a productive discussion. In addition to the problems identified in her complaint, she (b) (5), (b) (7)(A)

[Redacted]

Attached is a draft RFI if you have time to review. It's very similar to the samples. Before sending the request, do you think we should (b) (5), (b) (7)(A)

Thanks,
Lisa

Lisa R. Hasday, Assistant U.S. Attorney
(b) (6)

From: Hasday, Lisa (USATXN)
Sent: Tuesday, May 10, 2022 11:36 AM
To: Johnson, Elizabeth (CRT) (b) (6)
Cc: Byers, Gwen G. (USATXN) (b) (6)
Subject: RE: FW: Texas primary voting issues

I have made that change. Thanks for reviewing the outline, Elizabeth. We'll let you know how the interview goes.
Lisa

Lisa R. Hasday, Assistant U S Attorney
(b) (6)

From: Johnson, Elizabeth (CRT) (b) (6)
Sent: Tuesday, May 10, 2022 11:22 AM
To: Hasday, Lisa (USATXN) (b) (6)
Cc: Byers, Gwen G. (USATXN) (b) (6)
Subject: RE: FW: Texas primary voting issues

Thanks Lisa. I have no other suggestions for questions. The only thing I would recommend is to (b) (5)

[Redacted]

[Redacted] FOIA or discovery). Thank you! Hope it goes well.

Duplicative Material p.44

[Redacted]

(b) (5)

(b) (5)

(b) (5)

To: Johnson, Elizabeth (CRT) (b) (6)
Cc: Byers, Gwen G. (USATXN) (b) (6)
From: Hasday, Lisa (USATXN) (b) (6)

Sent: Thur 6/2/2022 11:31:14 AM (UTC-04:00)
Subject: RE: FW: Texas primary voting issues
[Expert Witnesses for Voting Machines.docx](#)
[Request for Information to \(b\) \(5\), \(b\) \(7\)\(A\) County.docx](#)

Hi Elizabeth,
Hope all is well! I wanted to share with you the attached list of (b) (5), (b) (7)(A). Do you know anything about anyone on this list?
Thanks,
Lisa

Lisa R Hasday, Assistant U S Attorney

(b) (6)
Duplicative Material p.47

[Redacted content]

(b) (5), (b) (7)(A) [Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

(b) (5)

(b) (5)

(b) (5)

To: Hasday, Lisa (USATXN) (b) (6)
From: Johnson, Elizabeth (CRT) (b) (6)
Sent: Fri 10/21/2022 5:29:36 PM (UTC-04:00)
Subject: (b) (5), (b) (7)(A) COUNTY draft survey form voting machines
(b) (5), (b) (7)(A) [COUNTY draft survey form voting machines.docx](#)

Let me know how this works and if you have any edits and additions. Thanks!

(b) (5)

(b) (5)

(b) (5)

To: Hasday, Lisa (USATXN) (b) (6)
From: Johnson, Elizabeth (CRT) (b) (6)
Sent: Fri 10/21/2022 6:38:42 PM (UTC-04:00)
Subject: RE: (b) (5), (b) (7)(A) COUNTY draft survey form voting machines

Great questions and will add them.

From: Hasday, Lisa (USATXN) (b) (6)
Sent: Friday, October 21, 2022 5:42 PM
To: Johnson, Elizabeth (CRT) (b) (6)
Subject: RE: (b) (5), (b) (7)(A) COUNTY draft survey form voting machines

This looks great! I just have a few thoughts:

- Should we ask whether (b) (5), (b) (7)(A)
Open to your thoughts.
- I think the materials also said that the (b) (5), (b) (7)(A)
- When we talked to (b) (5), (b) (7)(A)
Should we (b) (5), (b) (7)(A)

Lisa R. Hasday, Assistant U.S. Attorney
📧 (b) (6)

From: Johnson, Elizabeth (CRT) (b) (6)
Sent: Friday, October 21, 2022 4:30 PM
To: Hasday, Lisa (USATXN) (b) (6)
Subject: (b) (5), (b) (7)(A) COUNTY draft survey form voting machines
Importance: High

Let me know how this works and if you have any edits and additions. Thanks!

To: Johnson, Elizabeth (CRT) (b) (6)
From: Hasday, Lisa (USATXN) (b) (6)
Sent: Fri 10/21/2022 6:51:45 PM (UTC-04:00)
Subject: Re: (b) (5), (b) (7)(A) COUNTY draft survey form voting machines
(b) (5), (b) (7)(A) [COUNTY draft survey form voting machines.docx](#)

Looks good to me! Thanks!

Lisa R. Hasday, Assistant U.S. Attorney

(b) (6)

On Oct 21, 2022, at 5:46 PM, Johnson, Elizabeth (CRT) (b) (6) wrote:

Revised. I'll print this if you are okay with it.

(b) (5)

(b) (5)

(b) (5)

To: Hasday, Lisa (USATXN) (b) (6); Stoltz, Brian (USATXN) (b) (6); 'Byers, Gwen G. (USATXN) (b) (6)
Cc: Kirkendall, Roberta (CRT) (b) (6); Quinlan, Lisa Y (CRT) (b) (6)
From: Johnson, Elizabeth (CRT) (b) (6)

Sent: Mon 3/7/2022 3:43:36 PM (UTC-05:00)
Subject: Re: OFFER (b) (5), (b) (7)(A), (b) (7)(C) County Voting
[CRT Complaint Records](#) (b) (5), (b) (7)(A), (b) (7)(C) [County Voting Complaint by](#) (b) (5), (b) (7)(A), (b) (7)(C)

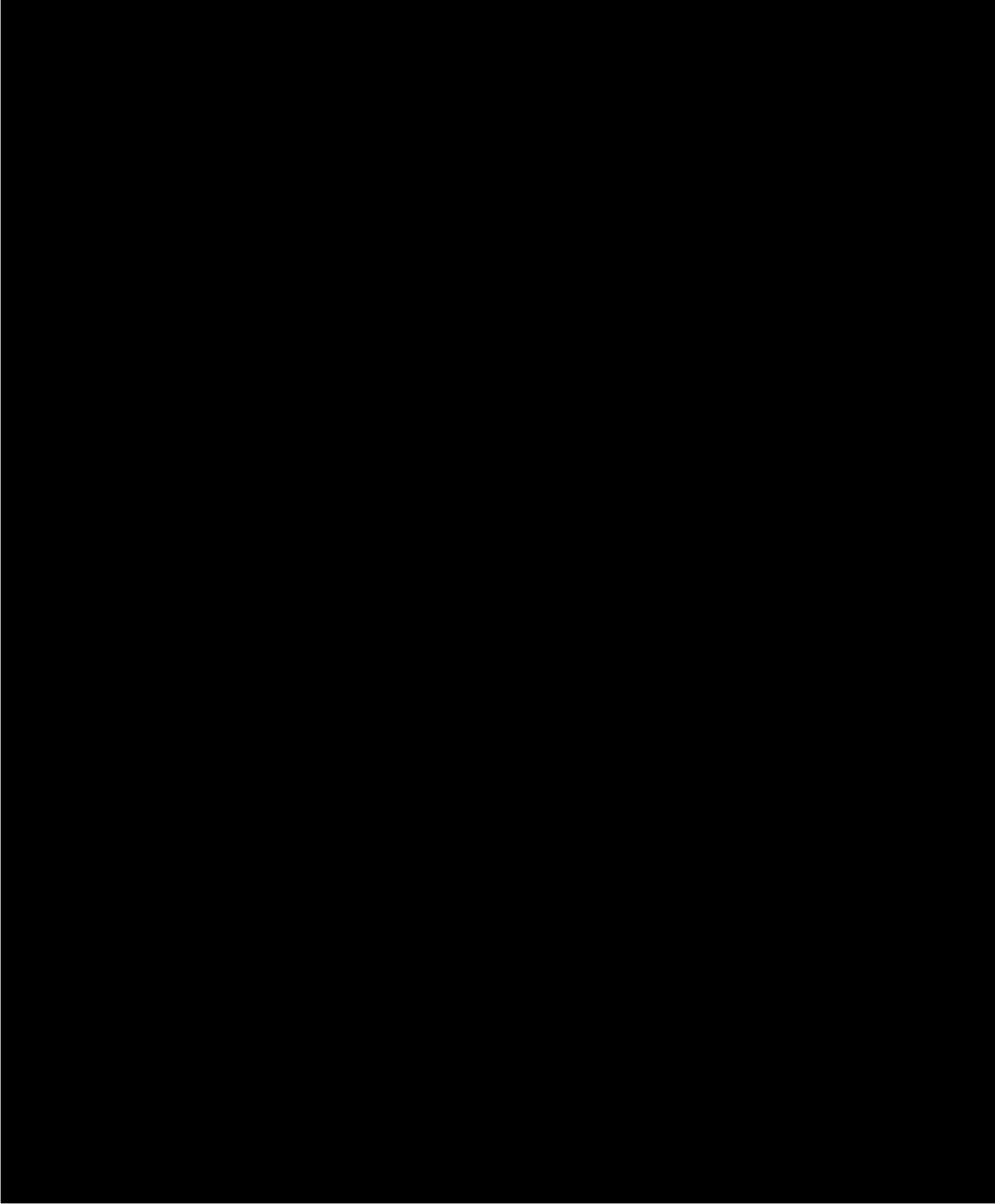
Please see this ADA complaint related to the primary election held last week and the alleged failure of the County to provide an accessible ballot for in-person voting. If you would be (b) (5)

Please let me know if you would like to discuss. Thank you!

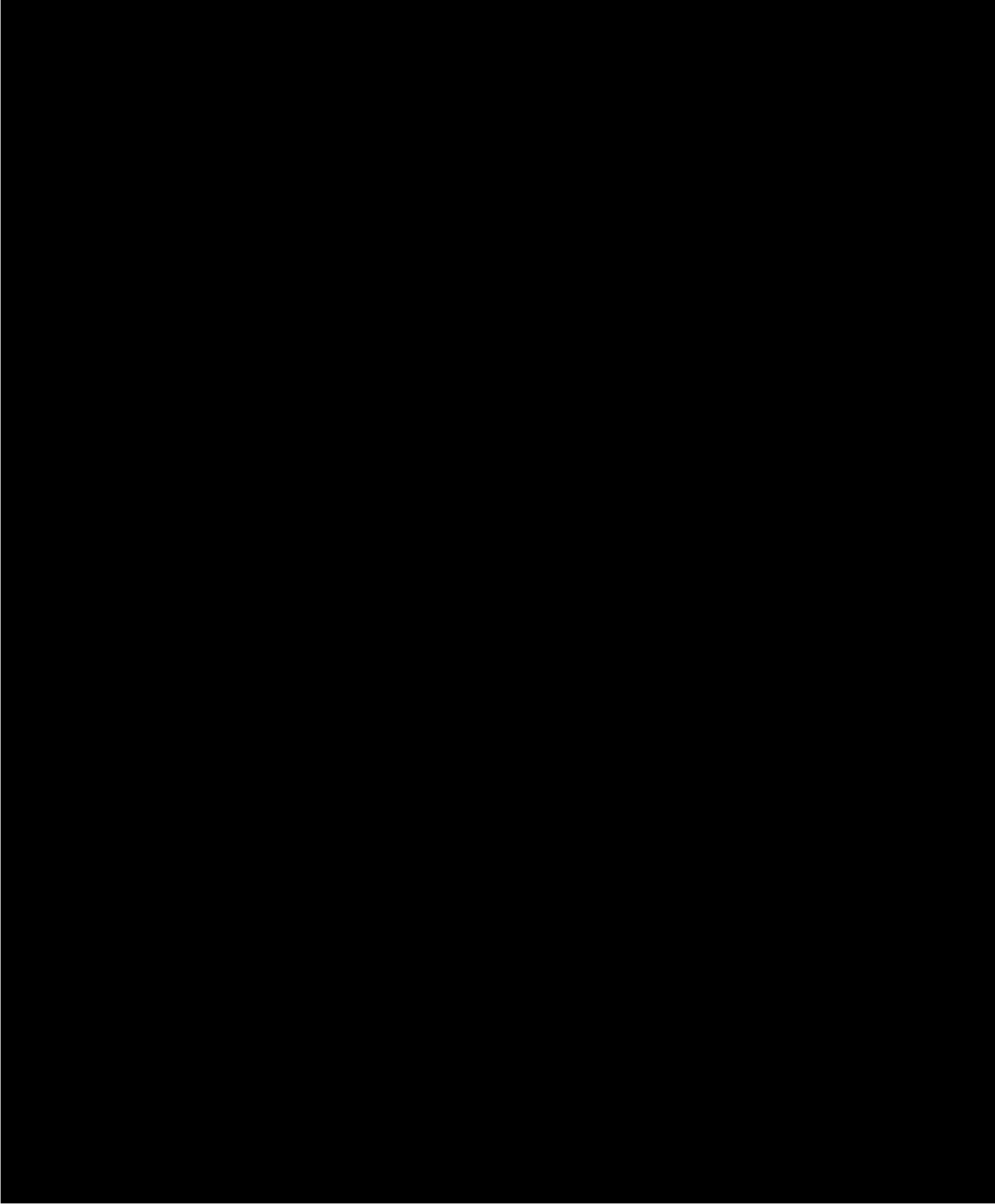
Elizabeth Johnson
Senior Trial Attorney
Disability Rights Section
Civil Rights Division
Department of Justice

(b) (6) (office)
(b) (6) (cell)
(b) (6)

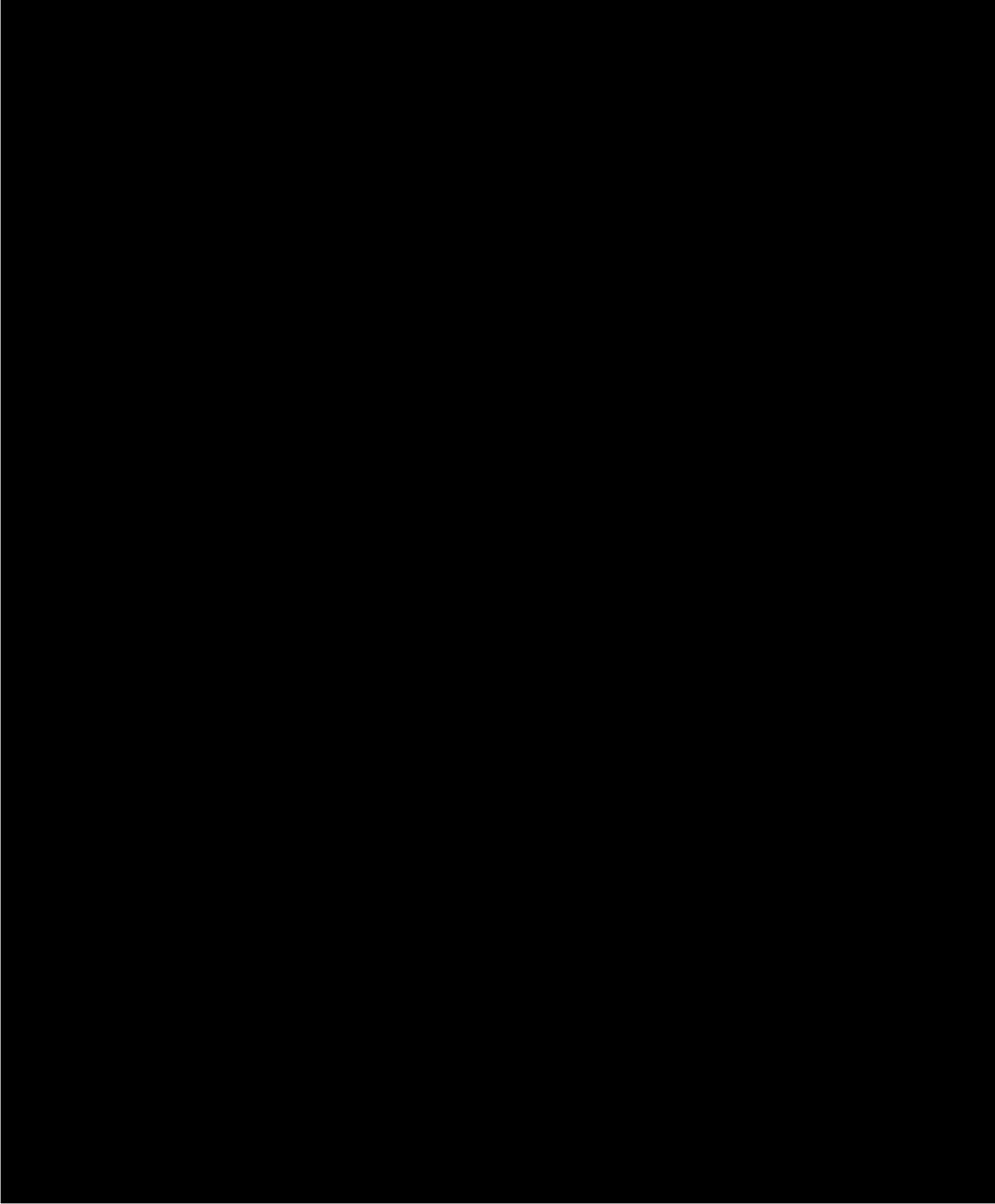
(b) (5), (b) (7)(A), (b) (7)(C)



(b) (5), (b) (7)(A), (b) (7)(C)



(b) (5), (b) (7)(A), (b) (7)(C)



Cc: Thomas, Charles (USAMOW) (b) (6)
To: Kirkendall, Roberta (CRT) (b) (6)
From: Johnson, Elizabeth (CRT) (b) (6)
Sent: Tue 11/8/2022 4:41:41 PM (UTC-05:00)
Subject: Re: couple of press inquiries that came to us directly re FL

The (b) (5)
will forward the email to you

On Nov 8, 2022, at 2:52 PM, Kirkendall, Roberta (CRT) (b) (6) wrote:

Hi EJ and Charles – See the 3rd question about how we (b) (5) Can you please email me

(b) (5) Thanks. Robbie

From: Bond, Rebecca (CRT) (b) (6)
Sent: Tuesday, November 8, 2022 3:07 PM
To: Kirkendall, Roberta (CRT) (b) (6)
Subject: Fwd: couple of press inquiries that came to us directly re FL
Looping you in to answer the last question.

Sent from my iPhone
Begin forwarded message:

From: "Herren, Chris (CRT)" (b) (6)
Date: November 8, 2022 at 12:51:33 PM EST
To: "Bradford, Aryele (PAO)" (b) (6) >
Cc: "Bond, Rebecca (CRT)" (b) (6)
Subject: RE: couple of press inquiries that came to us directly re FL

+ adding Rebecca B re (b) (5)
Do you recall or can we track down (b) (5)

Is DO (b) (5)

Did (b) (5)

(b) (5)

From: Bradford, Aryele (PAO) (b) (6)
Sent: Tuesday, November 8, 2022 12:28 PM
To: Herren, Chris (CRT) (b) (6)
Subject: RE: couple of press inquiries that came to us directly re FL

A few more questions.

Do you recall or can we track down (b) (5)

Is (b) (5)

Did (b) (5)

From: Herren, Chris (CRT) (b) (6)
Sent: Tuesday, November 8, 2022 11:08 AM
To: Bradford, Aryele (PAO) (b) (6)
Subject: RE: couple of press inquiries that came to us directly re FL

As background, we have entered polling places in Florida at times in the past, not just when we had agreements or consent decrees. (b) (5). But again, I would (b) (5)

(b) (5)

For the other question, (b) (5)

From: Bradford, Aryele (PAO) <(b) (6)>

Sent: Tuesday, November 8, 2022 11:04 AM

To: Herren, Chris (CRT) (b) (6)

Subject: RE: couple of press inquiries that came to us directly re FL

A few more from Florida...

The SOS said that DOJ's request to enter polling places is a new one, and that DOJ only did this when they had consent decrees with counties — decrees which he said are now expired. Is that accurate? In

(b) (5)

Or (b) (5)

(b) (5)

From: Herren, Chris (CRT) (b) (6)

Sent: Tuesday, November 8, 2022 11:01 AM

To: Bradford, Aryele (PAO) (b) (6)

Subject: RE: couple of press inquiries that came to us directly re FL

Yep, that's right.

From: Bradford, Aryele (PAO) (b) (6)

Sent: Tuesday, November 8, 2022 11:00 AM

To: Herren, Chris (CRT) (b) (6)

Subject: RE: couple of press inquiries that came to us directly re FL

Thanks. I'm assuming we are (b) (5) and I'm also assuming we

(b) (5)

Is that right?

From: Herren, Chris (CRT) (b) (6)

Sent: Tuesday, November 8, 2022 10:56 AM

To: Bradford, Aryele (PAO) <(b) (6)>

Subject: couple of press inquiries that came to us directly re FL

From: [Herren, Chris \(CRT\)](#)
To: [Bradford, Aryele \(PAO\)](#)
Subject: couple of press inquiries that came to us directly re FL
Date: Tuesday, November 8, 2022 10:56:00 AM
Attachments: [EXTERNAL Florida on DOJ monitors.msg](#)
[EXTERNAL Florida Politics re letter to South Florida elections offices.msg](#)

From: [Pipitone, Tony \(NBCUniversal\)](#)
To: [Russ, Bert \(CRT\)](#)
Subject: [EXTERNAL] Florida on DOJ monitors
Date: Tuesday, November 8, 2022 10:37:28 AM

Good morning,

Any response to Florida Department of State General Counsel Brad McVay's letter to you saying DOJ is not law enforcement in Florida (and therefore may not go into precincts in the state)?

Also, please let me know which precincts you may attempt to have DOJ personnel enter.

Thanks,

Tony

Cell (b) (6)

Tony Pipitone
Reporter
NBC6
(b) (6)

From: [Jacob Ogles](#)
To: [Russ, Bert \(CRT\)](#)
Subject: [EXTERNAL] Florida Politics, re: letter to South Florida elections offices
Date: Tuesday, November 8, 2022 7:42:05 AM

I am a reporter for Florida Politics. Can you please provide us with letters send to supervisors of elections in Miami-Dade, Broward and Palm Beach counties, and any other counties, regarding the 2022 General Election and plans to observe polling precincts?
Considering the urgency of the election today, I would appreciate the letters as soon as possible.

Thank you,
Jacob Ogles
Florida Politics
Federal Editor

(b) (6)

To: Johnson, Elizabeth (CRT) (b) (6) 1
From: Kirkendall, Roberta (CRT) (b) (6)
Sent: Tue 11/8/2022 4:44:22 PM (UTC-05:00)
Subject: FW: couple of press inquiries that came to us directly re FL

FYI. Robbie

From: Bradford, Aryele (PAO) (b) (6)
Sent: Tuesday, November 8, 2022 4:42 PM
To: Kirkendall, Roberta (CRT) (b) (6)
Cc: Herren, Chris (CRT) (b) (6) Bond, Rebecca (CRT) (b) (6)
Subject: Re: couple of press inquiries that came to us directly re FL
Thanks! I'm fine to keep it at (b) (5). I'm trying to (b) (5) at this point.
On Nov 8, 2022, at 4:39 PM, Kirkendall, Roberta (CRT) (b) (6) > wrote:

Hi Aryele – I wanted to let you know that we are tracking down the answer to your 3rd question about (b) (5) and will get back to you ASAP. Also, I wanted to let you know that (b) (5)
Robbie

Roberta S. Kirkendall
Special Legal Counsel
U.S. Attorney Program for ADA Enforcement
Disability Rights Section
Civil Rights Division
Department of Justice
(b) (6)

From: Bond, Rebecca (CRT) (b) (6)
Sent: Tuesday, November 8, 2022 3:07 PM
To: Kirkendall, Roberta (CRT) (b) (6) >
Subject: Fwd: couple of press inquiries that came to us directly re FL
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[Redacted]

[Redacted]

From: [Herren, Chris \(CRT\)](#)
Subject: FW: [EXTERNAL] Justice Department to Monitor Polls in 24 States for Compliance with Federal Voting Rights Laws
Date: Monday, November 7, 2022 12:34:38 PM

All -- FYI

From: USDOJ-Office of Public Affairs <USDOJ-OfficeofPublicAffairs@public.govdelivery.com>
Sent: Monday, November 7, 2022 12:32 PM
Subject: [EXTERNAL] Justice Department to Monitor Polls in 24 States for Compliance with Federal Voting Rights Laws

[seal - centered header for gov delivery](#)



The United States Department of Justice

FOR IMMEDIATE RELEASE
WWW.JUSTICE.GOV/NEWS

November 7, 2022

Justice Department to Monitor Polls in 24 States for Compliance with Federal Voting Rights Laws

WASHINGTON – The Justice Department announced today its plans to monitor compliance with federal voting rights laws in 64 jurisdictions in 24 states for the Nov. 8, 2022 general election. Since the passage of the Voting Rights Act of 1965, the Civil Rights Division has regularly monitored elections in the field in jurisdictions around the country to protect the rights of voters. The Civil Rights Division will also take complaints from the public nationwide regarding possible violations of the federal voting rights laws through its call center. The Civil Rights Division enforces the federal voting rights laws that protect the rights of all citizens to access the ballot.

For the general election, the Civil Rights Division will monitor for compliance with the federal voting rights laws on Election Day and/or in early voting in 64 jurisdictions:

- City of Bethel, Alaska;
- Dillingham Census Area, Alaska;

- Kusilvak Census Area, Alaska;
- Sitka City-Borough, Alaska;
- Maricopa County, Arizona;
- Navajo County, Arizona;
- Pima County, Arizona;
- Pinal County, Arizona;
- Yavapai County, Arizona;
- Newton County, Arkansas;
- Los Angeles County, California;
- Sonoma County, California;
- Broward County, Florida;
- Miami-Dade County, Florida;
- Palm Beach County, Florida;
- Cobb County, Georgia;
- Fulton County, Georgia;
- Gwinnett County, Georgia;
- Town of Clinton, Massachusetts;
- City of Everett, Massachusetts;
- City of Fitchburg, Massachusetts;
- City of Leominster, Massachusetts;
- City of Malden, Massachusetts;
- City of Methuen, Massachusetts;
- City of Randolph, Massachusetts;
- City of Salem, Massachusetts;
- Prince George's County, Maryland;
- City of Detroit, Michigan;
- City of Flint, Michigan;
- City of Grand Rapids, Michigan;
- City of Pontiac, Michigan;
- City of Southfield, Michigan;
- City of Minneapolis, Minnesota;
- Hennepin County, Minnesota;
- Ramsey County, Minnesota;
- Cole County, Missouri;

- Alamance County, North Carolina;
- Columbus County, North Carolina;
- Harnett County, North Carolina;
- Mecklenburg County, North Carolina;
- Wayne County, North Carolina;
- Middlesex County, New Jersey;
- Bernalillo County, New Mexico;
- San Juan County, New Mexico;
- Clark County, Nevada;
- Washoe County, Nevada;
- Queens County, New York;
- Cuyahoga County, Ohio;
- Berks County, Pennsylvania;
- Centre County, Pennsylvania;
- Lehigh County, Pennsylvania;
- Luzerne County, Pennsylvania;
- Philadelphia County, Pennsylvania;
- City of Pawtucket, Rhode Island;
- Horry County, South Carolina;
- Dallas County, Texas;
- Harris County, Texas;
- Waller County, Texas;
- San Juan County, Utah;
- City of Manassas, Virginia;
- City of Manassas Park, Virginia;
- Prince William County, Virginia;
- City of Milwaukee, Wisconsin; and,
- City of Racine, Wisconsin.

Monitors will include personnel from the Civil Rights Division and from U.S. Attorneys' Offices. In addition, the division also deploys monitors from the Office of Personnel Management, where authorized by federal court order. Division personnel will also maintain contact with state and local election officials.

The Civil Rights Division's Voting Section enforces the civil provisions of federal statutes that protect the right to vote, including the Voting Rights Act, the

Uniformed and Overseas Citizens Absentee Voting Act, the National Voter Registration Act, the Help America Vote Act and the Civil Rights Acts. The division's Disability Rights Section enforces the Americans with Disabilities Act (ADA) to ensure that persons with disabilities have a full and equal opportunity to vote. The division's Criminal Section enforces federal criminal statutes that prohibit voter intimidation and voter suppression based on race, color, national origin or religion.

On Election Day, Civil Rights Division personnel will be available all day to receive complaints from the public related to possible violations of the federal voting rights laws by a complaint form on the department's website <https://civilrights.justice.gov/> or by telephone toll-free at 800-253-3931.

Individuals with questions or complaints related to the ADA may call the department's toll-free ADA information line at 800-514-0301 or 833-610-1264 (TTY) or submit a complaint through a link on the department's ADA website, at <https://www.ada.gov/>.

Complaints related to disruption at a polling place should always be reported immediately to local election officials (including officials in the polling place). Complaints related to violence, threats of violence or intimidation at a polling place should be reported immediately to local police authorities by calling 911. These complaints should also be reported to the department after local authorities have been contacted.

The Justice Department recently [announced](#) its overall plans for the general election to protect the right to vote and secure the integrity of the voting process through the work of the Civil Rights Division, Criminal Division, National Security Division and U.S. Attorneys' Offices.

More information about the federal civil rights laws is available on the Civil Rights Division's website at <https://www.justice.gov/crt>.

###

CRT

22-1192

Do not reply to this message. If you have questions, please use the contacts in the message or call the Office of Public Affairs at 202-514-2007.

From: [Kirkendall, Roberta \(CRT\)](#)
To: [Bond, Rebecca \(CRT\)](#); [Herren, Chris \(CRT\)](#); [Johnson, Elizabeth \(CRT\)](#)
Cc: [Wertz, Rebecca J \(CRT\)](#); [Dellheim, Richard \(CRT\)](#); [Russ, Bert \(CRT\)](#)
Subject: RE: [EXTERNAL] Your Voice Mail
Date: Monday, November 7, 2022 12:52:22 PM
Attachments: [DOJ Permission Leter October 29 2022.pdf](#)

(b) (7)(E) . Robbie

From: Bond, Rebecca (CRT) (b) (6)
Sent: Monday, November 7, 2022 12:44 PM
To: Kirkendall, Roberta (CRT) (b) (6); Herren, Chris (CRT)
(b) (6) Johnson, Elizabeth (CRT) (b) (6)
Cc: Wertz, Rebecca J (CRT) <(b) (6)>; Dellheim, Richard (CRT)
(b) (6); Russ, Bert (CRT) (b) (6)
Subject: RE: [EXTERNAL] Your Voice Mail

Hi Chris,

We also (b) (7)(E) .

Thanks,

Rebecca

From: Kirkendall, Roberta (CRT) (b) (6)
Sent: Monday, November 7, 2022 12:39 PM
To: Herren, Chris (CRT) (b) (6); Bond, Rebecca (CRT)
(b) (6); Johnson, Elizabeth (CRT) (b) (6)
Cc: Wertz, Rebecca J (CRT) (b) (6); Dellheim, Richard (CRT)
(b) (6); Russ, Bert (CRT) (b) (6)
Subject: RE: [EXTERNAL] Your Voice Mail

(b) (7)(E) . Robbie

(b) (5), (b) (7)(A)

From: Herren, Chris (CRT) <(b) (6)>
Sent: Monday, November 7, 2022 12:21 PM
To: Bond, Rebecca (CRT) (b) (6); Kirkendall, Roberta (CRT)
(b) (6); Johnson, Elizabeth (CRT) (b) (6)
Cc: Wertz, Rebecca J (CRT) (b) (6) Dellheim, Richard (CRT)
(b) (6) Russ, Bert (CRT) (b) (6)
Subject: FW: [EXTERNAL] Your Voice Mail

(b) (5)

From: Dellheim, Richard (CRT) (b) (6)
Sent: Monday, November 7, 2022 12:13 PM
To: Russ, Bert (CRT) (b) (6)
Cc: Herren, Chris (CRT) (b) (6)
Subject: Fwd: [EXTERNAL] Your Voice Mail

Hi Bert. Based on what (b) (5)

Begin forwarded message:

From: Patrick Sweeten <Patrick.Sweeten@oag.texas.gov>
Date: November 7, 2022 at 12:08:22 PM EST
To: "Dellheim, Richard (CRT)" (b) (6)
Cc: Christopher Hilton <Christopher.Hilton@oag.texas.gov>, Will Thompson <Will.Thompson@oag.texas.gov>, Adam Bitter <ABitter@sos.texas.gov>, Aaron Reitz <Aaron.Reitz@oag.texas.gov>, Ari Cuenin <Ari.Cuenin@oag.texas.gov>, Kimberly Gdula <Kimberly.Gdula@oag.texas.gov>, Ari Herbert <Ari.Herbert@oag.texas.gov>
Subject: [EXTERNAL] Your Voice Mail

Dear Richard,

I just returned from a vacation, and I received voice mails apparently left late last week in my absence about election monitors or observers. I am aware of no other communications directed to me or our office that address this matter by email or letter.

As an initial matter, please include Christopher Hilton on future communications on this issue. He is working on this matter for OAG and is copied here.

In your voice mail you advised that DOJ intended to send monitors or observers to three areas in Texas: Waller County, Dallas County and Harris

County. We have several questions about your message.

1. Is DOJ intending to send monitors or observers to other locations or just those three counties?
2. How many election monitors or observers are you intending to send to each county?
3. What is the scope of your proposed monitoring or observing efforts and what is their specific charge? Also, where do you intend to station these monitors or observers in those areas?
4. Have you previously notified the specific counties or the Secretary of State of your intentions?
5. As you are likely aware the Texas Election Code has various provisions that may be relevant to monitors or observers, among others Section 61.001 that limits the role of election bystanders. Please provide us the basis of DOJ's claimed authority to undertake the monitoring or observations in the proposed areas and advise if you intend to adhere to those provisions.

Please respond to the above questions as soon as possible in view of the impending deadlines.

Best Regards,

Patrick K. Sweeten
Deputy Attorney General for Special Litigation

Christopher Hilton
Chief, General Litigation Division

William Thompson
Deputy Chief, Special Litigation Division



HARRIS COUNTY ELECTIONS ADMINISTRATION OFFICE

November 3, 2022

Re: Permission to Observe Voting Locations for United States Department of Justice

Dear Presiding Judge:

Representatives from the United States Department of Justice (DOJ), Assistant US Attorneys Jimmy Rodriguez and Elizabeth Karpati, Paralegal Raymond Babauta and Expert John Torkelson have been authorized by the Harris County Elections Administrator to observe and inspect Harris County early voting and election day locations for the November 8, 2022 General and Special Elections. The DOJ Representatives are permitted to observe and inspect during the conduct of this election.

Please accept this document as the appropriate credentials for the DOJ.

Sincerely,
Sashikala Nisankarao, J.D.
Senior ADA Compliance Manager
Harris County Elections Administrator's Office

From: [Russ, Bert \(CRT\)](#)
To: [Russ, Bert \(CRT\)](#); [Herren, Chris \(CRT\)](#); [Wertz, Rebecca J \(CRT\)](#); [Bradford, Aryele \(PAO\)](#)
Subject: Another media request on Florida
Date: Tuesday, November 8, 2022 2:31:14 PM
Attachments: [EXTERNAL PolitiFact Media Inquiry.msg](#)

From: [Yacob Reyes](#)
To: [Russ, Bert \(CRT\)](#)
Subject: [EXTERNAL] PolitiFact | Media Inquiry
Date: Tuesday, November 8, 2022 2:30:01 PM

Hello, Mr. Russ. I am Yacob Reyes, a reporter for PolitiFact. I am writing an article about the U.S. Department of Justice's monitoring of three Florida counties for compliance with federal voting laws. Florida's State Department wrote in a letter that the D.O.J. had requested to have monitors inside of polling locations. Is that accurate?

Can you provide me information related to the letters sent to Miami-Dade, Palm Beach and Broward.

Thank you,

Yacob Reyes

Reporter at PolitiFact

(b) (6)

Twitter: (b) (6)

Pronouns: he/him

From: [Russ, Bert \(CRT\)](#)
To: [Herren, Chris \(CRT\)](#); [Wertz, Rebecca J \(CRT\)](#)
Subject: Another press inquiry from Florida
Date: Tuesday, November 8, 2022 10:49:53 AM
Attachments: [EXTERNAL Florida on DOJ monitors.msg](#)

From: [Pipitone, Tony \(NBCUniversal\)](#)
To: [Russ, Bert \(CRT\)](#)
Subject: [EXTERNAL] Florida on DOJ monitors
Date: Tuesday, November 8, 2022 10:37:28 AM

Good morning,

Any response to Florida Department of State General Counsel Brad McVay's letter to you saying DOJ is not law enforcement in Florida (and therefore may not go into precincts in the state)?

Also, please let me know which precincts you may attempt to have DOJ personnel enter.

Thanks,

Tony

Cell (b) (6)

Tony Pipitone

Reporter

NBC6

(b) (6)

From: [Russ, Bert \(CRT\)](#)
To: [Herren, Chris \(CRT\)](#); [Wertz, Rebecca J \(CRT\)](#)
Subject: CBS News asking about Florida
Date: Tuesday, November 8, 2022 1:23:52 PM
Attachments: [EXTERNAL Election monitoring letter from Florida Department of State.msg](#)

From: [Emily Mae Czachor](#)
To: [Russ, Bert \(CRT\)](#)
Subject: [EXTERNAL] Election monitoring letter from Florida Department of State
Date: Tuesday, November 8, 2022 1:15:22 PM

Hi Mr. Russ,

My name is Emily Mae Czachor, and I'm an editor at CBS News. I'm writing to see if the Justice Department can provide any comments in response to yesterday's letter from the Florida Department of state opposing [election monitors](#) at polling sites. You can reach me by phone or email.

Thank you,
Emily Mae

--

Emily Mae Czachor
News Editor, CBSNews.com

(b) (6)

From: [Russ, Bert \(CRT\)](#)
To: [Herren, Chris \(CRT\)](#); [Mellett, Timothy F \(CRT\)](#)
Cc: [Berman, Robert \(CRT\)](#); [Wertz, Rebecca J \(CRT\)](#)
Subject: A reporter reach out to me directly, re FL
Date: Tuesday, November 8, 2022 7:44:25 AM
Attachments: [EXTERNAL Florida Politics re letter to South Florida elections offices.msg](#)

He's asking for the letters we sent the Florida counties.

(b) (7)(E), (b) (5)

My thought is that we (b) (5), (b) (7)(A)

From: [Jacob Ogles](#)
To: [Russ, Bert \(CRT\)](#)
Subject: [EXTERNAL] Florida Politics, re: letter to South Florida elections offices
Date: Tuesday, November 8, 2022 7:42:05 AM

I am a reporter for Florida Politics. Can you please provide us with letters send to supervisors of elections in Miami-Dade, Broward and Palm Beach counties, and any other counties, regarding the 2022 General Election and plans to observe polling precincts?
Considering the urgency of the election today, I would appreciate the letters as soon as possible.

Thank you,
Jacob Ogles
Florida Politics
Federal Editor

(b) (6)

From: [Russ, Bert \(CRT\)](#)
To: [Bradford, Aryele \(PAO\)](#); [Herren, Chris \(CRT\)](#); [Wertz, Rebecca J \(CRT\)](#)
Cc: [Mellett, Timothy F \(CRT\)](#)
Subject: Another reporter call
Date: Tuesday, November 8, 2022 3:24:17 PM

Jacob Reyes of PolitiFact called (b) (6) to ask about whether DOJ had requested to be in the polls in Florida.

(b) (6)


From: [Shore, Elise \(CRT\)](#)
To: [Paikowsky, Dana \(CRT\)](#)
Cc: [Russ, Bert \(CRT\)](#)
Subject: Broward phone call from Joe Scott
Date: Thursday, November 3, 2022 1:20:55 PM
Importance: High

Dana,

Joe Scott just called me to ask whether other counties have been open to our entering the polls. I told him that he needed to speak directly with you about this issue and that I would connect you to our call.

I called you and left a message along with Joe on the phone. Joe left a message as well (as we were on conference call) explaining the issue. I told him we would both plan to call him this afternoon. (I'm available anytime except from 2-3:15 pm.)

Overall, it appears that the Florida county (b) (5)



Thanks,

Elise

From: [Meza, Catherine \(CRT\)](#)
To: [Russ, Bert \(CRT\)](#)
Subject: Call with NC SBOE re election monitoring
Date: Monday, October 31, 2022 1:41:25 PM

Hi Bert,

I spoke with the NC SBOE's general counsel this morning, Paul Cox, and associate general counsel, Candace Marshall. Mr. Cox is new and indicated he was formerly with the NC DOJ. He has not been at the NC SBOE for a federal election cycle during which the USDOJ monitored elections (b) (5), (b) (7)(A)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

We are scheduled for a follow up tomorrow at 3 pm.

Do you have a moment for a brief call to discuss further?

Thank you.

Cathy

From: [Malhi, Jaywin \(CRT\)](#)
To: [Russ, Bert \(CRT\)](#)
Subject: Fwd: [External] RE: Looking place authorizations for Minneapolis
Date: Sunday, November 6, 2022 1:04:41 PM

Bert,

See below for my current exchange with Hennepin County. Thanks!

Jaywin Singh Malhi
Trial Attorney
Voting Section, Civil Rights Division
United States Department of Justice
(b) (6)

Begin forwarded message:

From: "Malhi, Jaywin (CRT)" (b) (6)
Date: November 4, 2022 at 12:22:00 PM CDT
To: Ginny Gelms (b) (6) @hennepin.us>
Cc: "Evans, Rachel (CRT)" (b) (6)
Subject: RE: [External] RE: Looking place authorizations for Minneapolis

Ginny,

My apologies for misspeaking in my email. I meant to say Katie Smith is our elections contact in *Minneapolis*, not Hennepin County. (b) (5), (b) (7)(A), (b) (6)

[REDACTED]

[REDACTED]

[REDACTED]

Thanks!

Jaywin Singh Malhi
Trial Attorney

Voting Section, Civil Rights Division
United States Department of Justice

(b) (6)

From: Ginny Gelms (b) (6) @hennepin.us>
Sent: Friday, November 4, 2022 1:16 PM
To: Malhi, Jaywin (CRT) (b) (6)
Cc: Evans, Rachel (CRT) (b) (6)
Subject: RE: [External] RE: Looking place authorizations for Minneapolis

Thanks Jaywin – I believe Katie Smith must be deputy director for Minneapolis (not Hennepin County). (b) (5), (b) (7)(A)

(b) (5), (b) (7)(A)

Let me know.

Ginny Gelms | she/her
Hennepin County Elections Director
Office: (b) (6)
hennepin.us/elections



From: Malhi, Jaywin (CRT) (b) (6)
Sent: Thursday, November 3, 2022 4:09 PM
To: Ginny Gelms (b) (6) @hennepin.us>
Cc: Evans, Rachel (CRT) (b) (6)
Subject: [External] RE: Looking place authorizations for Minneapolis

CAUTION: This email was sent from outside of Hennepin County. Unless you recognize the sender and know the content, do not click links or open attachments.

Ginny,

Thanks for the note. I spoke by phone earlier this week with Katie Smith, who I understand is the Director of Elections for Hennepin County. I followed up with her via email earlier this afternoon (b) (7)(A)

Separately, it sounds like you recently spoke with the Secretary of State's Office. I, too, spoke with David Maeda in that office this week. (b) (5), (b) (7)(A)

(b) (5), (b) (7)(A)

Thanks!

Jaywin Singh Malhi
Trial Attorney
Voting Section, Civil Rights Division
United States Department of Justice

(b) (6)

(b) (6)

From: Ginny Gelms (b) (6) s@hennepin.us>

Sent: Thursday, November 3, 2022 3:49 PM

To: Malhi, Jaywin (CRT) (b) (6)

Subject: [EXTERNAL] Looking place authorizations for Minneapolis

Hi Jaywin,

I've been informed the (b) (7)(A)

(b) (6) Please contact Minneapolis City Clerk Casey Carl for authorization to send observers to Minneapolis polling places. His email is

(b) (6)

Ginny Gelms | *she/her*
Hennepin County Director of Elections

Disclaimer: If you are not the intended recipient of this message, please immediately notify the sender of the transmission error and then promptly permanently delete this message from your computer system.

Disclaimer: If you are not the intended recipient of this message, please immediately notify the sender of the transmission error and then promptly permanently delete this message from your computer system.

From: [Herren, Chris \(CRT\)](#)
To: [Russ, Bert \(CRT\)](#); [Berman, Robert \(CRT\)](#)
Subject: Fwd: Request for federal monitoring of the 2022 election in Florida
Date: Tuesday, September 27, 2022 9:51:06 AM
Attachments: [Coalition Letter to USDOJ FL election monitoring 2022 9 26.pdf](#)

Begin forwarded message:

From: "Bond, Rebecca (CRT)" (b) (6) >
Date: September 27, 2022 at 9:47:11 AM EDT
To: "Herren, Chris (CRT)" (b) (6)
Cc: "Powers, John (CRT)" (b) (6)
Subject: FW: Request for federal monitoring of the 2022 election in Florida

From: Sooknanan, Sparkle (OASG) (b) (6)
Sent: Tuesday, September 27, 2022 9:46 AM
To: Clarke, Kristen (CRT) (b) (6); Boddie, Elise (CRT)
(b) (6) Bond, Rebecca (CRT) (b) (6) Cochran,
Shaylyn (CRT) (b) (6)
Subject: FW: Request for federal monitoring of the 2022 election in Florida
Importance: High

Good morning, team. Please see attached.

From: Kirk Bailey (b) (6) [@acluf.org](mailto:(b)(6)@acluf.org)>
Sent: Tuesday, September 27, 2022 9:13 AM
To: Gupta, Vanita (OASG) (b) (6)
Cc: Abdelilah Skhir (b) (6) [@acluf.org](mailto:(b)(6)@acluf.org)>; Ben Needham <(b) (6) [@aclu.org](mailto:(b)(6)@aclu.org)>; Robert Hoffman (b) (6) [@aclu.org](mailto:(b)(6)@aclu.org)>
Subject: [EXTERNAL] Request for federal monitoring of the 2022 election in Florida
Importance: High

Associate Attorney General Gupta,

I write on behalf of a coalition of voting rights groups in Florida with the attached letter detailing our request for federal monitoring of the 2022 election in Florida. You are welcome to reach me (contact info below) or Abdelilah Skhir, ACLU of Florida Voting Rights Policy Strategist (b) (6) [@acluf.org](mailto:(b)(6)@acluf.org), with any questions. Thank you for your attention to this important matter.

Kind regards,

Kirk Bailey | Political Director | American Civil Liberties Union of Florida (b) (6) m. |
(b) (6) [@aclufl.org](mailto:(b)(6)@aclufl.org)
Pronouns: he, him, his

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September 26, 2022

The Honorable Vanita Gupta
United States Associate Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-000

Re: Request for Federal Monitoring and Oversight of Florida's Elections

Dear Associate Attorney General Gupta:

We, the undersigned, write to express our deep concern that the freedom to vote for Floridians is under threat. The right to vote is the cornerstone of our democracy. It is the foundation upon which all our freedoms lie. We wish to highlight for your attention several measures the Florida Legislature has taken in recent years – with increasing fervor following the 2020 election – that may significantly impact Floridians' right to free and fair elections.

Under the Voting Rights Act, the Civil Rights Division of the Department of Justice has the authority to monitor jurisdictions to protect the rights of all voters. Federal monitoring of elections in Florida is needed to ensure a fair and transparent process for voters, free from interference and intimidation. The Department has previously sent personnel to Florida – including in 2020 under former U.S. Attorney General Bill Barr – to monitor voting in Broward, Duval, Hillsborough, Miami-Dade, Orange, and Palm Beach Counties.¹

In addition to protecting the freedom to vote for racial minority groups, federal monitoring would also help ensure that language minority groups and those needing assistance to vote due to disabilities are able to do so free of discrimination, intimidation, or fraud. It would also ensure that Supervisor of Elections offices and poll workers are treated fairly, free from harassment in the course of their work of administering elections.

Intentional Legislative Barriers to Voting

Following the 2020 election, Governor Ron DeSantis and his allies in legislative leadership gave glowing praise to Florida's administration of the 2020 election, calling it "the

¹ <https://www.justice.gov/opa/pr/justice-department-again-monitor-compliance-federal-voting-rights-laws-election-day>

most transparent and efficient election anyplace in the country in 2020,”² stating, “The way Florida did it, I think inspires confidence. I think that’s how elections should be run.”³

Following these statements, the Florida Legislature proposed, then passed, Senate Bill 90 (SB 90)⁴. The law severely limits the use of vote-by-mail drop boxes – now named Secure Ballot Intake Stations (SB 524, 2022) – so that they are available only during early voting days and hours. SB 90 also criminalizes collection of vote-by-mail (VBM) ballots, limiting who can assist elderly voters or voters with disabilities with returning their VBM ballot.

Not content with these major changes to election law, the Florida Legislature saw fit to pass Senate Bill 524 (SB 524). Among other provisions, this law created the Office of Election Crimes and Security, a first-of-its-kind law enforcement operation under the Florida Department of State. The stated purpose of this office is to investigate instances of election “irregularities;” however, questions remain unanswered regarding the scope and subject matter of potential investigations. The law also harshly increases penalties for third-party voter registration organizations, key players in conducting voter registration in traditionally underrepresented communities.

As stated by the Department in its amicus brief in the League of Women Voters’ and other allies’ litigation against SB 90,⁵ a federal judge has found that the Florida Legislature has a pattern of intentionally discriminating against Black voters in Florida for over twenty years. Given that troubling finding, we are concerned how the election crimes unit and other law enforcement efforts may be used.

We are also concerned about the expansion of the ability to challenge voter’ signatures and believe that a number of bad-faith actors using the guise of election security to create intentional barriers to voting will misuse these systems. There are additional concerns that the state’s election crimes unit could be used to support these efforts to discard valid votes.

Racial Gerrymandering

The 2022 Florida legislative session marked the beginning of redistricting using data from the 2020 Census. Mindful of lengthy litigation from the prior redistricting cycle, legislative leadership in the House and Senate committed to a transparent process. However, on the eve of Martin Luther King Jr. Day, Governor DeSantis made the unprecedented move of submitting his own map. This racially and politically gerrymandered map removed two of four existing congressional districts that provided Black Floridians an opportunity to elect the candidate of their choice. Legislative leadership then abdicated their constitutional duty to produce a map compliant with the 14th Amendment and the Florida Constitution in favor of the governor’s preferred map, culminating in a sit-in demonstration by members of the Florida House of Representatives.

² <https://www.cbsnews.com/miami/news/florida-governor-desantis-pushes-election-changes-florida>

³ <https://www.wptv.com/news/election-2020/gov-ron-desantis-praises-floridas-election-process-says-other-states-should-follow-sunshine-states-lead>

⁴ <https://flsenate.gov/Session/Bill/2021/90/BillText/er/PDF>

⁵ *League of Women Voters of Fla., Inc., v. Fla. Sec’y of State*, No. 22-11143 (11th Cir.).

In addition to retrogressing the ability of Black voters to elect their candidate of choice at the congressional level, racial gerrymandering has occurred at the local level. In March, the Jacksonville City Council passed maps illegally “packing” Black voters into four of its 14 City Council districts. In doing so, the Council ignored the desires of the public, who overwhelmingly opposed the maps in public hearings. These district maps are currently being litigated in the U.S. District Court for the Middle District of Florida, where the ACLU of Florida Northeast Chapter is one of several plaintiffs.

Hate Groups and Illegal Private Armies

According to the Southern Poverty Law Center, 53 hate groups operated in Florida in 2021,⁶ with 20 documented instances of intimidation or violence since January 2020. Proactive action must be taken to ensure that voters are not intimidated by these armed, private armies, including comprehensive crisis planning and coordination among agencies, deployment of Justice Department observers in communities where hate groups and previous political intimidation activities have been documented, and additional resources provided to local election officials.

‘Constitutional Sheriffs’

A growing movement of far-right sheriffs throughout the country includes organizations such as the Constitutional Sheriffs & Peace Officers Association (CSPOA). These officials believe their authority as a sheriff supersedes all levels of government within their jurisdiction.⁷ This raises severe concerns around the constitutional separation of powers and frightening possibilities in the event a situation arises in which Florida finds itself with one or more closely contested elections. The guiding philosophy of the CSPOA is described in the following excerpt from their website:

The law enforcement powers held by the sheriff supersede those of any agent, officer, elected official or employee from any level of government when in the jurisdiction of the county.

The vertical separation of powers in the Constitution makes it clear that the power of the sheriff even supersedes the powers of the President.

A similar political organization, Protect America Now, recently announced a partnership with True the Vote, a Texas-based organization that has continued to spread misinformation regarding election security and the 2020 presidential election, in order to “equip sheriffs, educate citizens and protect our elections.” Sheriff Wayne Ivey of Brevard County, FL – home to 455,275 registered voters – serves on the Advisory Committee of Protect America Now, and several other Florida-based sheriffs are members of this organization, including the Sheriffs of the following Florida counties: Palm Beach, Indian River, Bradford, Flagler, and Marion.

Given the stated threats to democracy outlined in this letter, we respectfully request the Department undertake immediate action to ensure that Floridians are able to participate in free

⁶ <https://www.splcenter.org/hate-map?state=FL>

⁷ <https://cspoa.org/about>

and fair elections. We are available to discuss and answer any questions at your convenience – please contact Kirk Bailey, ACLU of Florida at (b) (6) [@aclufl.org](mailto:(b) (6)@aclufl.org) or Abdelilah Skhir, ACLU of Florida Voting Rights Policy Strategist at (b) (6) [@aclufl.org](mailto:(b) (6)@aclufl.org). Thank you for your attention to this important matter.

Sincerely,

Kirk Bailey
Political Director
American Civil Liberties Union of Florida

Brad Ashwell
Florida State Director
All Voting Is Local

Jamil Davis
State Organizing Manager
Black Voters Matter

Genesis Robinson
Political Director
Equal Ground

Roberto Cruz
Managing Attorney, Southeast Regional
Office
LatinoJustice PRLDEF

Cecile M. Scoon, Esq.
President
League of Women Voters of Florida

From: [Russ, Bert \(CRT\)](#)
To: [Herren, Chris \(CRT\)](#); [Wertz, Rebecca J \(CRT\)](#)
Cc: [Mellett, Timothy F \(CRT\)](#)
Subject: Miami and Broward
Date: Thursday, November 3, 2022 3:46:00 PM

Miami (b) (5), (b) (7)(A)

Broward (b) (5), (b) (7)(A)

So Chris, (b) (5), (b) (7)(A)

I have not called Maria Matthews yet, but was about to do that.

From: [Russ, Bert \(CRT\)](#)
To: [Herren, Chris \(CRT\)](#); [Wertz, Rebecca J \(CRT\)](#); [Dellheim, Richard \(CRT\)](#); [Berman, Robert \(CRT\)](#); [Mellett, Timothy F \(CRT\)](#); [Russ, Bert \(CRT\)](#)
Subject: North Carolina
Date: Tuesday, November 1, 2022 3:57:16 PM

Despite (b) (5), (b) (7)(A)

I spoke with Minnesota's state officials, (b) (5), (b) (7)(A)

So far, I have confirmed that we have spoken to (b) (5), (b) (7)(A)

(b) (5), (b) (7)(A)

Bert

From: [Russ Bert \(CRT\)](#)
To: [Malhi Jaywin \(CRT\)](#); [Herren Chris \(CRT\)](#); [Russ Bert \(CRT\)](#)
Cc: [Mellett Timothy F \(CRT\)](#)
Subject: RE: A note on Tuesday
Date: Monday, November 7, 2022 12:02 00 PM

(b) (5), (b) (7)(A)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

Bert

From: Russ, Bert (CRT)
Sent: Monday, November 7, 2022 10:24 AM
To: Malhi, Jaywin (CRT) (b) (6)
Cc: Mellett, Timothy F (CRT) (b) (6)
Subject: RE: A note on Tuesday

Thanks.

I left a message for (b) (5), (b) (7)(A). (b) (6) In his message to me on Friday, he stated their (b) (5), (b) (7)(A)

[Redacted]

[Redacted]

Bert

From: Malhi, Jaywin (CRT) (b) (6)
Sent: Monday, November 7, 2022 12:50 AM
To: Russ, Bert (CRT) (b) (6)
Cc: Mellett, Timothy F (CRT) (b) (6)
Subject: RE: A note on Tuesday

Sure thing. Below are our current assignments for monitoring in Minnesota on Tuesday. In red text, I've reflected which of the Hennepin County teams are within and outside of Minneapolis. Thanks!

—

(b) (7)(A), (b) (6)

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

[Redacted]

—

Jaywin Singh Malhi
Trial Attorney
Voting Section, Civil Rights Division
United States Department of Justice
(b) (6)

[Redacted]

From: Russ, Bert (CRT) (b) (6)

Sent: Sunday, November 6, 2022 8:26 PM

To: Russ, Bert (CRT) <(b) (6)> Malhi, Jaywin (CRT) <(b) (6)>

Cc: Mellett, Timothy F (CRT) (b) (6)

Subject: A note on Tuesday

Jaywin,

On Tuesday, for Hennepin and Minneapolis, I'll need to know which people are in Minneapolis, and which people visited outside Minneapolis in Hennepin County. (b) (7)(E)

Thanks.

Bert

(b) (7)(A), (b) (6)

From: [Russ, Bert \(CRT\)](#)
To: [Knight, David \(CRT\)](#); [Mellett, Timothy F \(CRT\)](#); [Shore, Elise \(CRT\)](#)
Cc: [Sitton, Jaye \(CRT\)](#)
Subject: RE: Call with Maria Mathews
Date: Monday, November 7, 2022 8:30:00 PM

An attorney with the FL DOS called me at 7 p.m., asking (b) (5), (b) (7)(A)

Stay tuned.

From: Knight, David (CRT) <(b) (6)>
Sent: Monday, November 7, 2022 7:58 PM
To: Russ, Bert (CRT) (b) (6); Mellett, Timothy F (CRT) (b) (6)
Cc: Sitton, Jaye (CRT) (b) (6)
Subject: RE: Call with Maria Mathews

Bert & Tim –

As discussed with Bert, I (b) (5), (b) (7)(A)

[REDACTED]

[REDACTED]

-David

From: Russ, Bert (CRT) (b) (6)

Sent: Monday, November 7, 2022 11:41 AM

To: Russ, Bert (CRT) (b) (6) Herren, Chris (CRT) (b) (6)

Cc: Shore, Elise (CRT) (b) (6) Paikowsky, Dana (CRT)

(b) (6) Mellett, Timothy F (CRT) (b) (6) Knight,

David (CRT) (b) (6); Sitton, Jaye (CRT) (b) (6)

Subject: Call with Maria Mathews

The Florida Director of Elections Maria Matthews (b) (6) called me to (b) (5), (b) (7)(A)

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Looking at my notes, I see we are not (b) (5), (b) (7)(A)

[REDACTED]

Thanks,
Bert

From: [Russ, Bert \(CRT\)](#)
To: [Evans, Rachel \(CRT\)](#); [Malhi, Jaywin \(CRT\)](#)
Subject: RE: Contacting Hennepin, Ramsey, and MN State Election Officials
Date: Thursday, October 27, 2022 1:29:00 PM
Attachments: [20141103 Letter to TX Director of Elections.pdf](#)

Thanks. Before we call the State, let me look up my prior call with them, and we might try to do the call together.

(b) (5), (b) (7)(A) [REDACTED]
[REDACTED]

[REDACTED]
[REDACTED]
[REDACTED]

From: Evans, Rachel (CRT) (b) (6) [REDACTED]
Sent: Thursday, October 27, 2022 1:00 PM
To: Malhi, Jaywin (CRT) (b) (6) [REDACTED]; Russ, Bert (CRT) (b) (6) [REDACTED]
Subject: RE: Contacting Hennepin, Ramsey, and MN State Election Officials

Thank you, Jaywin.

I hope you don't mind, but I'm adding Bert to get his take on (b) (5), (b) (7)(A) [REDACTED]
[REDACTED]
[REDACTED] want to make sure we are all on the same page with this.

Bert, what are your thoughts? (b) (5), (b) (7)(A) [REDACTED]
[REDACTED]

Thanks to you both!
Rachel

From: Malhi, Jaywin (CRT) (b) (6) [REDACTED]
Sent: Thursday, October 27, 2022 12:49 PM
To: Evans, Rachel (CRT) (b) (6) [REDACTED]
Subject: RE: Contacting Hennepin, Ramsey, and MN State Election Officials

Rachel,

Just to keep all the information in one spot, I figure I'll (b) (7)(E) [REDACTED]
[REDACTED]

I just got off the phone (b) (5), (b) (7)(A) [REDACTED]
[REDACTED]

(b) (5), (b) (7)(A)
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED] (b) (6) which is his direct line.

Thanks!

Jaywin Singh Malhi
Trial Attorney
Voting Section, Civil Rights Division
United States Department of Justice

(b) (6)
[REDACTED]

From: Malhi, Jaywin (CRT)
Sent: Thursday, October 27, 2022 10:38 AM
To: Evans, Rachel (CRT) (b) (6)
Subject: RE: Contacting Hennepin, Ramsey, and MN State Election Officials

Got it. Thanks!

Jaywin Singh Malhi
Trial Attorney
Voting Section, Civil Rights Division
United States Department of Justice

(b) (6)
[REDACTED]

From: Evans, Rachel (CRT) (b) (6)
Sent: Thursday, October 27, 2022 10:37 AM
To: Malhi, Jaywin (CRT) (b) (6)
Subject: RE: Contacting Hennepin, Ramsey, and MN State Election Officials

On scheduling: (b) (7)(E), (b) (5)
[REDACTED] (It's merely personal preference on my end—no hard and fast rule.) Today my schedule is packed with calls staring at noon, but I'm flexible tomorrow after 10 am and next Monday through Wednesday except for a meeting on Wednesday from 1-2.

(b) (7)(E): (Not a dumb question!) (b) (5), (b) (7)(A)
[REDACTED]

(b) (5), (b) (7)(A)

-Rachel

From: Malhi, Jaywin (CRT) (b) (6)
Sent: Thursday, October 27, 2022 11:23 AM
To: Evans, Rachel (CRT) (b) (6)
Subject: RE: Contacting Hennepin, Ramsey, and MN State Election Officials

Got it. For our call with the State, is there a day or time you prefer? I'm generally flexible today, Tuesday, and Wednesday. We could either just jump on a phone call together and then give David a cold call together. Or I could call in advance and try to hammer out a time with him when we can both chat.

And one other, possibly dumb question: (b) (5), (b) (7)(A)

Thanks!

Jaywin Singh Malhi
Trial Attorney
Voting Section, Civil Rights Division
United States Department of Justice
(b) (6)

From: Evans, Rachel (CRT) (b) (6)
Sent: Thursday, October 27, 2022 10:15 AM
To: Malhi, Jaywin (CRT) (b) (6)
Subject: RE: Contacting Hennepin, Ramsey, and MN State Election Officials

Sounds good, Jaywin! Let me know if you hit any snags or if there's anything I can do to be of assistance!

From: Malhi, Jaywin (CRT) (b) (6)
Sent: Thursday, October 27, 2022 11:06 AM
To: Evans, Rachel (CRT) (b) (6)
Subject: RE: Contacting Hennepin, Ramsey, and MN State Election Officials

Got it. I'll handle everything in (A), minus the State call (which we'll do together). Thanks for getting (B) started, after which I can put together a list. And for (C), I can also send you a proposed report, which you can review and revise as you deem fit. Thanks!

Jaywin Singh Malhi
Trial Attorney
Voting Section, Civil Rights Division
United States Department of Justice

(b) (6)

From: Evans, Rachel (CRT) (b) (6)
Sent: Thursday, October 27, 2022 10:02 AM
To: Malhi, Jaywin (CRT) (b) (6)
Subject: RE: Contacting Hennepin, Ramsey, and MN State Election Officials

As to (A), I found the following contact information in our files or online:

Ramsey County:
David Triplett, Elections Manager

(b) (6)

State of Minnesota:
David Maeda, Elections Director, Office of the Secretary of State
(b) (6)
(Deputy Director is Paul Linnell)

Hennepin County:
Ginny Gelms, Elections Manager
Elections main phone line: 612-348-5151

Minneapolis:
Elections & Voter Services main phone line: 612-673-3000
City Clerk is in charge of elections at the city level.

As to (B), we need to (b) (5), (b) (7)(A)

(b) (5), (b) (7)(A)
(b) (5), (b) (7)(A)
(b) (5), (b) (7)(A) I'll reach

out to her today and copy you on the email.

Lastly, (C) we will need to (b) (5), (b) (7)(A)

(b) (5), (b) (7)(A)
(b) (5), (b) (7)(A)
(b) (5), (b) (7)(A)
(b) (5), (b) (7)(A)

Thanks!
Rachel

From: Malhi, Jaywin (CRT) (b) (6) >
Sent: Thursday, October 27, 2022 10:39 AM
To: Evans, Rachel (CRT) (b) (6)
Subject: RE: Contacting Hennepin, Ramsey, and MN State Election Officials

Thanks, Rachel. It looks like we have two buckets of things to do for our Minnesota monitoring: (A) call various elections officials and (B) figure out what poll sites to visit in Hennepin and Ramsey Counties.

As to (A), I understand we need to (b) (5), (b) (7)(A)

(b) (5), (b) (7)(A)
(b) (5), (b) (7)(A)
(b) (5), (b) (7)(A)

As to (B), I have (b) (5), (b) (7)(A)

(b) (5), (b) (7)(A)
(b) (5), (b) (7)(A) I'm

not sure off the top of my head. Thanks!

Jaywin Singh Malhi
Trial Attorney
Voting Section, Civil Rights Division
United States Department of Justice
(b) (6)
(b) (6)

From: Evans, Rachel (CRT) (b) (6)
Sent: Thursday, October 27, 2022 9:36 AM
To: Malhi, Jaywin (CRT) (b) (6)
Subject: RE: Contacting Hennepin, Ramsey, and MN State Election Officials

Thanks, Jaywin! I'm happy to participate in any calls you'd like me to be on. My schedule today is packed, but I am flexible tomorrow and early next week, and happy to work with your schedule.

Also please let me know how I can best help you prepare for this monitoring. If you don't already have lists of polling locations (and if we can't get them easily online or from some other source), we can ask for those when we speak with the jurisdictions.

-Rachel

From: Malhi, Jaywin (CRT) (b) (6)
Sent: Thursday, October 27, 2022 10:21 AM
To: Russ, Bert (CRT) (b) (6)

Cc: Samie, Bahram (USAMN) (b) (6); Evans, Rachel (CRT)
(b) (6) Mellett, Timothy F (CRT) (b) (6) Rios, Maria
(CRT) (b) (6) Berman, Robert (CRT) (b) (6); Rupp, Michelle
(CRT) (b) (6)

Subject: Re: Contacting Hennepin, Ramsey, and MN State Election Officials

Got it. Rachel and I will handle and report back. Thanks!

Jaywin Singh Malhi
Trial Attorney
Voting Section, Civil Rights Division
United States Department of Justice
(b) (6)
(b) (6)

On Oct 27, 2022, at 9:14 AM, Russ, Bert (CRT) <(b) (6)> wrote:

Jaywin,

We can reach out to Hennepin and Ramsey Counties to let them know we are going to monitor. (I think Minneapolis has its own election's office, while St. Paul contracts with Ramsey County, at least as of two years ago. We may need to call Minneapolis, as well).

We should also let the appropriate state official(s) know. (b) (5), (b) (7)(A)

(b) (5), (b) (7)(A)
(b) (5), (b) (7)(A)
(b) (5), (b) (7)(A)
(b) (5), (b) (7)(A)
(b) (5), (b) (7)(A)

(b) (5), (b) (7)(A)
(b) (5), (b) (7)(A)
(b) (5), (b) (7)(A)
(b) (5), (b) (7)(A)

Bert



U.S. Department of Justice

Civil Rights Division

*Voting Section - NWB
950 Pennsylvania Ave, NW
Washington, DC 20530*

November 3, 2014

Via Email

Keith Ingram
Director of Elections
Texas Division of Elections
208 East 10th Street
Rusk Building, Third Floor
Austin, Texas 78701

Dear Mr. Ingram:

This letter follows up on our phone conversation on October 31. As you have requested previously and as we have done in years past, we contacted you then to let you know about upcoming election monitoring by the Civil Rights Division of the U.S. Department of Justice in Texas for the November 4, 2014 election. On November 4, the Department will be sending Civil Rights Division staff members to Harris and Waller Counties. We have already contacted county attorneys for those counties to discuss the monitoring.

The federal voting rights statutes that fall within the jurisdiction of the Civil Rights Division provide the Attorney General with enforcement authority on behalf of the United States. This includes statutes such as the Voting Rights Act (52 U.S.C. §§ 10308, 10504, 10701), the National Voter Registration Act (52 U.S.C. § 20510), the Uniformed and Overseas Citizens Absentee Voting Act (52 U.S.C. § 20307), the Voting Accessibility for the Elderly and Handicapped Act (52 U.S.C. § 20105), the Civil Rights Act (52 U.S.C. §§ 10101, 20703) and the Help America Vote Act (52 U.S.C. § 21111), among others. Pursuant to that enforcement authority, through election-day monitoring and in-person visits to jurisdictions, the Department investigates potential violations of the federal voting rights statutes, such as the minority language provisions of Section 203 or the anti-intimidation provisions of Section 11(b) of the Voting Rights Act, for example.

As you are aware, the Department of Justice has sent Civil Rights Division staff members to Texas for monitoring during many elections in years past, including on dozens of occasions just since 2000. We have appreciated working cooperatively with your office and your counties on these monitoring efforts in the past, and we look forward to continuing to do so in the future.

If you have any questions, please do not hesitate to contact us at (b) (6)

Sincerely,

A handwritten signature in black ink that reads "Bert Russ". The signature is fluid and cursive, with a long horizontal stroke at the end.

John "Bert" Russ
Voting Section
Civil Rights Division
U.S. Department of Justice

From: [Herren, Chris \(CRT\)](#)
To: [Russ, Bert \(CRT\)](#)
Cc: [Mellett, Timothy F \(CRT\)](#)
Subject: RE: Contacting Hennepin, Ramsey, and MN State Election Officials
Date: Thursday, October 27, 2022 1:39:25 PM

Worth asking for both

From: Russ, Bert (CRT) (b) (6)
Sent: Thursday, October 27, 2022 1:39 PM
To: Herren, Chris (CRT) (b) (6)
Cc: Mellett, Timothy F (CRT) <(b) (6)>
Subject: RE: Contacting Hennepin, Ramsey, and MN State Election Officials
If they are (b) (5), (b) (7)(A)

From: Herren, Chris (CRT) (b) (6)
Sent: Thursday, October 27, 2022 1:37 PM
To: Russ, Bert (CRT) (b) (6)
Cc: Mellett, Timothy F (CRT) (b) (6)
Subject: RE: Contacting Hennepin, Ramsey, and MN State Election Officials
Thanks. It does seem (b) (5), (b) (7)(A)

Good luck.

From: Russ, Bert (CRT) (b) (6)
Sent: Thursday, October 27, 2022 1:34 PM
To: Herren, Chris (CRT) (b) (6)
Cc: Mellett, Timothy F (CRT) <(b) (6)>
Subject: FW: Contacting Hennepin, Ramsey, and MN State Election Officials
We could be (b) (5), (b) (7)(A)

From: Russ, Bert (CRT)
Sent: Thursday, October 27, 2022 1:30 PM
To: Evans, Rachel (CRT) (b) (6); Malhi, Jaywin (CRT) (b) (6)
Subject: RE: Contacting Hennepin, Ramsey, and MN State Election Officials

Duplicative Material p.110

From: [McFarland, Ernest A \(CRT\)](#)
To: [Williamson, Victor \(CRT\)](#); [Russ, Bert \(CRT\)](#); [Jhaveri, Sejal \(CRT\)](#); [Dellheim, Richard \(CRT\)](#); [Gear, Bruce \(CRT\)](#)
Subject: RE: Contacting Philadelphia and Lehigh County
Date: Tuesday, November 1, 2022 5:52:58 PM
Attachments: [Order Ball v. Chapman \(PA S. Ct. No. 102 MM 2022\)\(undated and incorrectly dated mail-in ballots\).pdf](#)

I spoke with (b) (5), (b) (7)(A)

[REDACTED]

[REDACTED]

[REDACTED]

The PA Supreme Court's order is attached.

Ernest

From: Williamson, Victor (CRT) <(b) (6)>
Sent: Monday, October 31, 2022 8:26 AM
To: McFarland, Ernest A (CRT) <(b) (6)>; Russ, Bert (CRT)
(b) (6)
Cc: Jhaveri, Sejal (CRT) (b) (6); Dellheim, Richard (CRT)
(b) (6) Gear, Bruce (CRT) (b) (6)
Subject: RE: Contacting Philadelphia and Lehigh County

To answer Bert's question below, I would suggest contacting our PA UOCAVA POC: Jessica Mathis (b) (6) [@pa.gov](#); (b) (6) Director, Bureau of Election Services and Notaries. And/or PA's Deputy Secretary for Elections and Commissions: Jonathan Marks (b) (6) [@pa.gov](#); (b) (6)).

From: McFarland, Ernest A (CRT) (b) (6)
Sent: Wednesday, October 26, 2022 8:25 PM

To: Russ, Bert (CRT) <(b) (6)>
Cc: Williamson, Victor (CRT) (b) (6); Jhaveri, Sejal (CRT)
(b) (6); Dellheim, Richard (CRT) (b) (6); Gear, Bruce
(CRT) (b) (6)
Subject: RE: Contacting Philadelphia and Lehigh County

Thanks for the update, Bert. We will inform the City prior to starting our meeting with leaders from the community groups.

Have a great night.

E

From: Russ, Bert (CRT) (b) (6)
Sent: Wednesday, October 26, 2022 7:07 PM
To: McFarland, Ernest A (CRT) <(b) (6)>; Jhaveri, Sejal (CRT)
(b) (6); Dellheim, Richard (CRT) <(b) (6)>; Gear, Bruce
(CRT) (b) (6)
Cc: Williamson, Victor (CRT) (b) (6)
Subject: Contacting Philadelphia and Lehigh County

Ernest,

We can tell Philadelphia that we are coming. We can also tell Lehigh County. Let's hold off until next week on (b) (5), (b) (7)(A)

Do we have someone (b) (5), (b) (7)(A)
(b) (5), (b) (7)(A) Victor, when he's back next week, may have the answer.

Bert

DAVID BALL, JAMES D. BEE, JESSE D.	:	No. 102 MM 2022
DANIEL, GWENDOLYN MAE DELUCA,	:	
ROSS M. FARBER, LYNN MARIE	:	
KALCEVIC, VALLERIE SICILIANO-	:	
BIANCANIELLO, S. MICHAEL STREIB,	:	
REPUBLICAN NATIONAL COMMITTEE,	:	
NATIONAL REPUBLICAN	:	
CONGRESSIONAL COMMITTEE, AND	:	
REPUBLICAN PARTY OF PENNSYLVANIA,	:	
	:	
Petitioners	:	
	:	
	:	
	:	
v.	:	
	:	
	:	
LEIGH M. CHAPMAN, IN HER OFFICIAL	:	
CAPACITY AS ACTING SECRETARY OF	:	
THE COMMONWEALTH, AND ALL 67	:	
COUNTY BOARDS OF ELECTIONS,	:	
	:	
	:	
Respondents	:	

DECIDED: November 1, 2022

The Court is evenly divided on the issue of whether failing to count such ballots violates 52 U.S.C. §10101(a)(2)(B).

We hereby **DIRECT** that the Pennsylvania county boards of elections segregate and preserve any ballots contained in undated or incorrectly dated outer envelopes.

The Republican National Committee, the National Republican Congressional Committee, and the Republican Party of Pennsylvania have standing. Petitioners David Ball, James D. Bee, Jesse D. Daniel, Gwendolyn Mae Deluca, Ross M. Farber, Lynn Marie Kalcevic, Vallerie Siciliano-Biancaniello, and S. Michael Streib are hereby **DISMISSED** from the case for lack of standing.

Opinions to follow.

Chief Justice Todd and Justices Donohue and Wecht would find a violation of federal law.

Justices Dougherty, Mundy and Brobson would find no violation of federal law.

From: [Russ, Bert \(CRT\)](#)
To: [Malhi, Jaywin \(CRT\)](#); [Mellett, Timothy F \(CRT\)](#)
Cc: [Evans, Rachel \(CRT\)](#)
Subject: RE: [EXTERNAL] Polling Locations for Tomorrow
Date: Monday, November 7, 2022 5:25:00 PM

Yes, that email is probably fine.

Frankly, after our (b) (5), (b) (7)(A)

From: Malhi, Jaywin (CRT) (b) (6)
Sent: Monday, November 7, 2022 5:21 PM
To: Russ, Bert (CRT) (b) (6); Mellett, Timothy F (CRT)
(b) (6)
Cc: Evans, Rachel (CRT) (b) (6)
Subject: Fwd: [EXTERNAL] Polling Locations for Tomorrow

Bert and Tim,

I just received the below note from Katie, the elections director in Minneapolis. With thanks to Rachel, below is a draft response to Katie. Do we have your approval to send? Please free to edit the email as you deem fit. Thanks!

—

Katie,

As a policy, we (b) (5), (b) (7)(A)

Thanks!

Sincerely,
Jaywin

—

Jaywin Singh Malhi
Trial Attorney
Voting Section, Civil Rights Division
United States Department of Justice

(b) (6)

Begin forwarded message:

From: "Smith, Katie M" (b) (6) <[REDACTED]@minneapolismn.gov>
Date: November 7, 2022 at 4:02:18 PM CST
To: "Malhi, Jaywin (CRT)" (b) (6) [REDACTED]
Subject: [EXTERNAL] Polling Locations for Tomorrow

Good afternoon,
Do you know which precincts you'll be visiting in Minneapolis tomorrow?

Katie Smith

Assistant City Clerk: Director of Elections & Voter Services

City of Minneapolis – City Clerk's Office

Elections & Voter Services

980 E. Hennepin Ave.

Minneapolis, MN 55414

Office: (b) (6) [REDACTED]
[REDACTED]

<image001.png>

From: [Meza, Catherine \(CRT\)](#)
To: [Russ, Bert \(CRT\)](#)
Subject: RE: Some new USAO folks have joined Mecklenburg
Date: Tuesday, November 1, 2022 3:20:24 PM

Hi Bert,

(b) (5), (b) (7)(A)

Cathy

From: Russ, Bert (CRT) (b) (6)
Sent: Monday, October 31, 2022 7:57 PM
To: Meza, Catherine (CRT) (b) (6)
Subject: Re: Some new USAO folks have joined Mecklenburg

Ok to send the letter to him. (b) (5), (b) (7)(A)

I will get everyone trained by this week. And yes, all of them are available.

Sent from my iPhone

(b) (6) M, Meza, Catherine (CRT)
wrote:

Thanks, Bert.

To clarify, are all (b) (5), (b) (7)(A)

Lastly, I just wanted to flag my email from this morning regarding my call with the NC SBOE's general counsel, Paul Cox. (b) (5), (b) (7)(A)

(b) (5), (b) (7)(A)

to send.

Let me know if ok

Thank you.

Cathy

From: Russ, Bert (CRT) (b) (6)

Sent: Monday, October 31, 2022 2:51 PM

To: Meza, Catherine (CRT) <(b) (6)>

Subject: Some new USAO folks have joined Mecklenburg

Green means they have been trained.

(b) (7)(A), (b) (6)