

**OLA 2020 ELECTION TRIAGE**

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## OLA TRIAGE STEPS

**STEP 1: Rely on cleared statements.** (See language p.7 and from press release p.8).

**STEP 2: Direct incoming calls to the appropriate entity.**

Stress that the best way to ensure this information is properly addressed is to instruct the person with direct information to communicate with the appropriate Department entity to address as a standard election inquiry.

- **CRT Voting rights hotline:** 1-800-253-3931 or <https://civilrights.justice.gov>.
- **USAO – District Election Officers** (see full list in G:\OLA\2020 General Election folder)

<b>Crimes of Violence/Voter Intimidation/Militia</b>	<b>Other Criminal/ Foreign Interference/Cyber</b>	<b>Voter Suppression</b>
If you or your constituents have direct information they should call 911 <b>immediately</b> -- before contacting federal authorities. State and local police have primary jurisdiction over polling places, and almost always have faster reaction capacity in an emergency.	These issues are being handled at the local FBI and USA level, if you or your constituents have direct information they should call #####  * If in doubt, refer to the local FBI/USA level as they will be better able to triage.	These issues are being handled by the Civil Rights Division, if you or your constituents have direct information they should call <b>800-253-3931</b>

*If this does not resolve the situation – if the caller is demanding a briefing or additional information*

**STEP 2: Share public information → Defer until later → Offer deliverable**

Share any public information that could be helpful (arrests, location of Department election monitors, public court filings); defer until later whether you'll be able to offer additional information; offer to circle back and confirm that appropriate Department entities have been informed.

<b>Ex. Public Information</b>	<b>Ex. Defer</b>	<b>Ex. Deliverable</b>
<ul style="list-style-type: none"> <li>• I understand that local police have made arrests in that case.</li> <li>• I have been informed that the Civil Rights Division has filed a statement in that matter. I can refer you to it.</li> <li>• The Department has election monitors in that district who are working to ensure a smooth election day.</li> </ul>	<ul style="list-style-type: none"> <li>• We aren't in a position at the moment to provide any information as to specific details about what the FBI has learned about this militia/this misconduct.</li> <li>• We may have more information tomorrow or coming days.</li> </ul>	<ul style="list-style-type: none"> <li>• I can/will confirm that the federal agencies in DISTRICT are aware/will be made aware of this information.</li> <li>• I can assure you that the Department leadership is being kept informed of calls about election issues such as this.</li> <li>• I will share this information with the Civil Rights Division.</li> </ul>

*If this does not resolve the situation or if the caller is demanding to speak with the Attorney General, head of CRT, or the local US Attorney/FBI SAC*

**STEP 3: Manage expectations and escalate internally**

Take as much information as possible. Let the caller know that you will try to share this information with the correct Department contact. Send a brief email to SB, MBH, and KA with a statement of how you propose to handle this inquiry. Include the hillside POC if the matter relates to a component (especially critical if caller is seeking a call with US Attorney).

<b>Ex. Manage Expectations</b>
<ul style="list-style-type: none"><li>• I will pass this message on to leadership in the Office of Legislative Affairs.</li><li>• Either I, or someone else from my office, will return your call as soon as we are able.</li><li>• I cannot promise that the Attorney General (head of CRT, etc.) will be available to return your call but I can promise that I will pass your message on as soon as we hang up.</li></ul>



**All calls and emails should be logged in the Election Call Log document in  
G:\OLA\2020 General Election folder.**

## **REFERRAL OF ELECTION RELATED CALLS BY COMPONENTS**

### **Civil Rights Division**

- Issues regarding the right to vote under the federal voting rights laws
  - (the Voting Rights Act, the Uniformed and Overseas Citizens Absentee Voting Act, the National Voter Registration Act, the Help America Vote Act)
- Questions about the Civil Rights Division's election monitoring in the field at polling places around the country on election day under the federal voting right statutes
- Election practices alleged to have a racially discriminatory purpose or result
  - (allegations that persons are being prevented from voting based on their race)
- Voter intimidation and vote suppression based on race, color, national origin or religion
  - (allegations that persons are trying to threaten voters, intimidate voters or stop voters from voting based on race)
- Voter registration issues
  - (allegations by voters who say their voter registration application was wrongly or not added to the voter rolls after they registered by mail or at a state office)
- Voter purging issues
  - (allegations from voters that their voter registration was wrongly removed from the voting rolls)
- Provisional ballots for voters
  - (voters who assert they are registered and eligible but their name does not appear on the voting rolls on election day are entitled to vote by provisional ballot)
- Uniformed service members deployed on active duty (either domestic or overseas service), their family members deployed with them, and U.S. citizens living abroad are entitled to register and vote absentee in federal elections
- More than 200 jurisdictions required to provide election materials and assistance in various covered native languages, including Spanish, Asian-American languages, Native-American languages, Native Alaskan languages
  - (voters allege they were entitled to a Spanish language ballot or Spanish language voting assistance and did not receive it)
- Voters who need assistance in voting due to disability or inability to read or write can receive assistance from person of their choice (other than an agent of their employer or union)
- Questions under the Americans with Disabilities Act about disability accessibility to the polling places, voting machines and voting process
  - (voters with mobility disabilities cannot get into the polls because of physical barriers like stairs, or blind voters cannot vote because an accessible voting machine that reads the ballot to voters is not working)

### **Public Integrity Section/Criminal Division**

- Issues under the federal criminal laws regarding election fraud
- Destruction of ballots
- Vote-buying
- Multiple voting (i.e., voting more than one ballot or voting in multiple jurisdictions)

- Submission of fraudulent ballots or registrations
- Alteration of votes (i.e., changing the votes as cast by voters)
- Malfeasance by postal or election officials and employees
- Voter intimidation for reasons other than race, color, national origin, or religion

**National Security Division**

- Malign influence activities by foreign governments
  - (including computer hacking of election or campaign infrastructure)
- Covert information operations
  - (to promulgate disinformation through social media)
- Covert efforts to support or denigrate political candidates or organizations
- International and domestic terrorism

## ELECTION DAY CONTACTS

**\*FOR INTERNAL USE ONLY\***  
**FBI/SIOC MAIN LINE:** (b) (6)

Kira	(b) (6)	MBH	(b) (6)	Anne	(b) (6)	Taylor	(b) (6)	Danielle	(b) (6)
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### OPA CONTACTS

Matt Lloy (b) (6) (b) (6)

Marc Raimond (b) (6) (b) (6)

Nicole Nava (b) (6) (b) (6)

Ali Kjergaar (b) (6) (b) (6)

### CRT CONTACTS

- OLA POC: Taylor Stephen (b) (6)

#### Office of Assistant Attorney General

John Daukas (b) (6) (b) (6)

#### Voting Section

Chris Herren (b) (6) (b) (6)

Rebecca Wertz (b) (6)

(b) (6)

#### Disability Rights Section

Rebecca Bond (b) (6)

(b) (6)

Elizabeth Westfal (b) (6)

(b) (6)

#### Criminal Section

Jim Felte (b) (6) (b) (6)

Mark Blumberg (b) (6)

(b) (6)

### CRM CONTACTS

- OLA POC: Anne Ping (b) (6)

#### Public Integrity Section

Richard Pilger (b) (6)

(b) (6)

Sean Mulryne (b) (6)

(b) (6)

PIN will staff SIOC (main number (b) (6)

on election day, 11/3.

On 11/2 and 11/4, PIN will staff the DOJ JCC under the marquee of "Election Watch," (main number:

(b) (6)).

#### CCIPS

John Lynch (b) (6)

(b) (6)

Josh Goldfoot (b) (6)

(b) (6)

### NSD CONTACTS

- OLA POC: Joanne Johnso (b) (6)

Primary (b) (6)

(b) (6)

Senior level: Deputy Assistant Attorney General

Adam Hickey a (b) (6) (b)

(b) (6) (b) (6) (c)

**Do NOT provide the above contact information to members/staff directly**

### ADDITIONAL OLA INFORMATION

<b>TASK</b>	<b>POC</b>
Start an email string at approximately 9am that includes EOUSA, CRT, OPA, and OLA so we can share intel as the day progresses.	<b>SB</b>
Log each call or email in the Election Call Log document in G:\OLA\2020 General Election folder.	<b>All</b>
Send regular updates to OLA team (MBH, SB, KA, AP, TS, DD) that includes brief summary of each call. While timing will depend on flow of inquiries, at a minimum please send a running update every three hours starting at noon. (12pm, 3pm, 6pm, 9pm/end of day)	<b>pre-5 pm: KA post-5pm: TS/AP</b>

### CLEARED LANGUAGE

- As we do in every election year, the Department has a command center to field allegations of criminal conduct in connection with the election, and we are coordinating with other federal, state, and local law enforcement and other government agencies.
- Each U.S. Attorney's office has a designated District Election Officer for that District.
- Each FBI field office has an Election Crimes Coordinator. The DEOs and ECCs will be in charge of overseeing the handling of complaints of election fraud in their respective districts in consultation with Main Justice.
- The Civil Rights Division is taking complaints from the public regarding possible violations of the federal voting rights laws and will be monitoring the election in the field under the federal voting rights laws.
- The National Security Division, through its national security prosecutors in the field, will be available to assist state and local officials in responding to any foreign, state-sponsored cyber threats and any domestic violent extremism.

### RESOURCES

- <https://www.fbi.gov/scams-and-safety/common-scams-and-crimes/election-crimes-and-security>

## POSSIBLE ELECTION DAY SCENARIOS

### Example 1

**Scenario:** I am at polling location \_\_\_\_ in (city, state) and there are multiple disabled individuals who are unable to get into the building due to their disability and have been waiting for a poll officer to assist them for over an hour. We need a civil rights monitor here!

**Answer:** Have the poll officials been made aware there are disabled individuals waiting to vote? If not, please ensure somebody provides the poll officials that information. If they have been made aware and have yet to provide assistance, please report this by calling the Civil Rights Division hotline at 1-800-253-3931. Additionally, I would highly recommend calling your respective state board of election's office to notify them of this matter.

- **If Pressed:** Representative/Senator \_\_\_\_, I will contact a member from the Civil Rights Division's Disability Rights Section to inform them directly of the scenario you described to me

### Example 2

**Scenario:** I have just been informed by a constituent that they requested a Spanish language ballot and it was not provided to them at the poll. This is voter suppression and intimidation.

**Answer:** More than 200 jurisdictions required to provide election materials and assistance in various covered native languages, including Spanish, Asian-American languages, Native-American languages, Native Alaskan languages.

**Answer:** If a constituent who was entitled to a Spanish-language ballot was unable to obtain one, please instruct them to contact DOJ's Civil Rights Division at 1-800-253-3931. I would also recommend calling your respective state board of elections office to inform them of this matter.

### Example 3

**Scenario:** I am at polling location \_\_\_\_ in (city, state) and there are armed people here intimidating individuals. I need to speak to the Attorney General right now about this.

**Answer:** Representative/Senator \_\_\_\_, are you witnessing such intimidation firsthand? First and foremost, you or your constituents need to call your local law enforcement so they can control the scene. Second, if it is intimidation based on race, religion, or national origin, you need to report this incident to the Civil Rights Division Hotline at 1-800-253-3931 to file a report. Finally, you should also share this information with the local District Election Officer. I can provide that number.

- **If Pressed:** Representative/Senator, I will contact the Civil Rights Division and inform them of the situation. I will follow up with your office with further information.
- **If Pressed Further:** Ok, Representative/ Senator \_\_\_\_, I understand the urgency of the situation. I am going to inform AAG Boyd and someone will respond as soon as possible.

### Example 4

**Scenario:** I have a constituent at polling location \_\_\_\_ in (city, state) and they were just informed that they are not registered to vote in this district, even after the constituent provided documentation of their registration!

**Answer:** Representative/ Senator \_\_\_\_, please have your constituent call our Civil Rights Division Hotline at 1-800-253-3931 to file a report. I would also encourage you to your local registrar's office to inform them of this matter.

**Example 5**

**Scenario:** I am at poll \_\_\_\_ in (city, state) which has an overwhelmingly minority population and people are waiting over 3 hours to vote. This is voter suppression. We need an election monitor here now!

**Answer:** We have monitors all throughout the country and specifically one in (state.) However, you should report this issue if it is one involving race by calling 1-800-253-3931. If it is not a matter of race, religion, color, or national origin, please call the Criminal Division Public Integrity Line at \_\_\_\_\_. Additionally, I would highly recommend calling your respective state board of election's office to notify them of this matter.

- **If Pressed:** I will contact the Civil Right Division and inform them of the situation. I will follow up with you either with further information.

**Example 6:**

**Scenario:** The state/local election official at poll 528 in county XX is refusing to allow constituents who couldn't track their mail in ballots to obtain a provisional ballot. This is voter suppression!

**Answer:** If your constituents are being denied a provisional ballot or are otherwise being impeded from exercising their rights under federal voting rights laws, please have them contact DOJ's Civil Rights Division at 1-800-253-3931.

**Example 7**

**Scenario:** My district is undergoing a cyber-attack and votes are being changed while we speak. I need the FBI here now.

**Answer:** Every district has a District Election Office in the local US Attorney's Office and an Election Crimes Coordinator in the FBI Field Office. This should be reported to those individuals. I can share that contact information.

- **If Pressed:** As soon as we hang up, I will share this information with individuals in our Criminal Division and National Security Division.

**HOLD**