

Protecting our Democracy's Frontline Workers
By Barb Byrum, County Clerk, Ingham County, Michigan
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Chairman Durban, Ranking Member Grassley, and Members of the Committee on the Judiciary, my name is Barb Byrum and I am the County Clerk for Ingham County, Michigan. I have been the County Clerk for nearly 10 years now and I have administered 30 elections in that time. I am deeply concerned at the trajectory that our country is on in the way that it treats elections administrators and at the misinformation that has been taking place more and more.

To be clear, I have been fortunate to have had no threats against me, my staff or my family in this role. But others in my line of work have not been so lucky. I have had friends and colleagues, clerks, election workers, and more from around the state call me with story after story of verbal abuse and threats against their lives and livelihoods. Some received vile voicemails, some received threatening calls indicating that the caller had been inside of their home.

It is no wonder, then, that over the last few years a dozen or more of the 83 County Clerks in Michigan have announced their retirement or resignation prior to the completion of their terms. By and large, these are not politicians and they are not people who signed up to be controversial figures. These are public servants who are simply trying to make their contribution to our democracy by ensuring that our elections are safe and secure and run with the utmost professionalism. I believe we need to put running elections in the hands of full-time, professional administrators, and with these recent retirements and the stress of the job, I fear this will not only cause us to lose dedicated professionals, but possibly have them replaced by individuals who believe mis- and disinformation surrounding our elections.

I am also aware that the Michigan Secretary of State has secured grant funding that is being passed through to local and county clerks to be used for security upgrades and additional programming to safeguard our clerks. I know that some clerks in Michigan are using those funds to upgrade and improve the physical security in their offices, while still others are preparing for the worst by funding active shooter trainings. Others are helping to add extra layers of digital protection to their IT infrastructure to protect against outside forces seeking to hack into election devices. Clerks work late into the night on election night and as recently as two years ago, we saw angry protestors outside several elections offices as the ballots were being counted. It seems only a matter of time before security upgrades are needed everywhere to keep our election administrators safe.

While we are lucky in Michigan to have secured this security grant funding, it is nowhere near the investment we need in this critical infrastructure. I continually ask our leaders to allocate additional funding to run safe and secure elections, but at the State level, our legislators are doing the opposite and are trying to pass laws that prevent us from using private grant funding to make our budgets work. In this day and age, systems and equipment can become outdated before they are even implemented and then we could have that equipment for ten years. For example, until 2017, my elections system was run on Windows XP. Sometimes, these risks could come in the form of paper shortages, during the ballot printing process, and Postal Service delays, when mailing election material. We

need to be just as prepared for those challenges as we are for attacks on our election machines, and the best way to do this is to be properly funded ahead of time. We always need to be looking ahead and taking steps to mitigate as many risks as possible.

While I am not directly involved in the hiring of precinct workers for future elections, I have been in constant contact with my city and township clerks who do and they are reporting that the current climate has taken the job of staffing polling locations from hard to near-impossible. In addition to the typical lack of interest, we now see that there are some that are actively signing up in bad faith, that we believe to be hoping to be appointed to cause trouble and sabotage our electoral process. The potential for negative consequences is very high should bad-faith election workers try to undermine our system. Bear in mind that we have checks and balances in our elections administration that require election inspectors of different parties and require those members of different parties to perform tasks together. Election inspector training, some of which is put on by the County Clerk, is now incorporating mitigation tactics to further protect against bad-faith election workers.

I also expect that the 2022 elections and beyond will see an influx of poll watchers and poll challengers. In the best of circumstances, these are welcome checks and balances to the electoral process and have a role to play in making everyone more comfortable about the security of our elections. Again, this assumes that these individuals are seeking to perform these tasks in good faith. Bad faith poll challengers and precinct inspectors could potentially slow down the process of voters exercising their rights to vote. This will inevitably disenfranchise voters, and further undermine the public faith in democracy unnecessarily.

In addition to the election day challenges, my office has seen a dramatic increase in the number of Freedom of Information Act (FOIA) requests that are related to the 2020 Election, over the past several years. These requests are a direct result of those peddling election conspiracy theories, and are not the run-of-the-mill FOIA requests that clerks typically see and respond to on a daily basis. These requests take time, money, and staff attention to process, which would better be spent in preparation for the next election. While I respect the public's right to the information that they are seeking, and will fulfill my duty to make the information available, it is important to know that these requests are not without seen and unseen costs to those who are administering our elections. In addition to requesting this information, we are also seeing "canvassers" going door-to-door questioning voters about their activity from the 2020 Election. Unfortunately, these individuals are using old lists and are taking advantage of voters who may not recall whether or how they voted two years ago. Their "findings" indicate a clear lack of knowledge about Michigan Election Law, yet are using them to spread distrust in our elections.

Moving forward, I am concerned that the path we were put on after the 2020 Election will lead to further problems. Losing the public trust in our democratic system can happen quickly and we need the participation of leaders in both of the major political parties to be vocal about their faith in the safety, security, and accuracy of our elections. We need losing candidates to accept defeat and concede with dignity. We need you, as people in positions of power, to challenge mis- and disinformation and to let your base know when they have been duped by election conspiracies. If we do not, scenes like we saw in the TCF center in Detroit on the day after the election will be a distant and pleasant memory compared to what we may see in the days and elections to come.

We need you to support us.

We need you to defend us.

We need you to believe in us.

We need you to invest in us.

And if you are willing to support us, as you should, here are a few concrete ways to do so:

We need Congress to pass the Lewis Voting Rights Advancement Act today! We need Election consistency, even across state lines. We need paper ballots, the right to vote by absent voter ballot and the right to not have unnecessary hurdles placed before voters to exercise their right to vote.

Most importantly, we need election administrators across the country to stand up and defend our democratic system, which has too long been under siege.

Thank you for your time and attention to this incredibly important topic.

Barb Byrum
Ingham County Clerk