

## Protecting Our Democracy's Frontline Workers

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County Clerk/Registrar of Voters

Shasta County, California

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To Chairman Durban, Ranking Member Grassley, and Members of the Committee on the Judiciary:

Thank you for taking the time to read this testimony, and for discussing the issue. My name is Cathy Darling Allen, I am the elected County Clerk and Registrar of Voters in Shasta County, CA. I have had the honor of serving my community since 2004, for close to 18 years. Shasta County is located in far northern California, two hours north of Sacramento, at the top of the central valley. I serve just over 112,000 voters.

I am using this opportunity to address the committee to discuss our experience in Shasta County with distrust of government and the election process specifically, the dramatic increase in observers and the effects of that, and the impact of increasing numbers of public records act requests.

As background, Shasta County, has recently experienced the effects of a large amount of out-of-state political contributions from a single donor. More than \$900,000 has been contributed to promote the campaigns of a group who labels themselves "anti-establishment" candidates over the past two years. This group found a home in the diminishing tea party group which was at one time very popular in this majority-conservative county. This funding helped elect one county supervisor, who has facilitated and apparently guided two political action committees, a ten part "docuseries," the recall of a lifetime resident and retired police chief County Supervisor, and sponsored campaigns for another six elected positions in the county. One of the founding members of the docuseries was present at the Capitol on January 6<sup>th</sup>, 2021.

Until this election I was feeling very sympathetic for my colleagues in other states who have experienced terrible things. I truly didn't think we'd see anything like that in California, not being a battleground state. I hope I am still correct about that. I and my staff have experienced an inordinate amount of bullying and interference, but no direct threats. Yet.

Election night, June 7<sup>th</sup>, 2022, myself and staff experienced an inordinate amount of bullying behavior and interference by a group of citizens who stated that they wanted to protect against insider election fraud from myself and my staff. This group was unsatisfied by the fact that we were and are complying with state law and regulations as they apply to ballot custody and security. Their presence was noted and observed by local law enforcement. Additionally, we became aware on election night at about 9:30p that an unknown person had placed a game or trail camera in the alley behind the office to presumably surveil the back entrance to the election department. The camera was gone by 12:35a on Wednesday morning, according to local reporting.

Election observation in Shasta County has become weaponized. Since November 2020, we spend an increasing amount of time educating, orientating, answering questions and escorting observers within our office. While California has a legally required official observer program for every county's election department, the past few years the number and aggressiveness of observers has grown. This was never as true as it has been in this election (the June 7<sup>th</sup>, 2022 primary), when so much money and resources

has been spent on ousting four incumbent county officials and backing candidates in two soon-to-be-vacant supervisor seats.

During the local recall election of a county supervisor, on February 1<sup>st</sup>, 2022, recall supporters claim that they had 70 observers working that election. We had 12 polling places open, and 488 votes cast in precincts. That works out to about one observer for every seven voters in precincts on election day; we had 4 poll workers in most precincts.

In this week's election, June 7<sup>th</sup>, 2022, we had more poll workers cancel or just plain not appear for work than we ever have had in my career. While we have more analysis to do, it could very well be the case that their experiences both in working the February 1<sup>st</sup> election and in training class, which observers also attend and in some cases were not well behaved, discouraged them from appearing to work as promised. This is extremely concerning. Going forward, we will have to carefully consider the cost/benefit to allowing observers to attend these trainings.

Since the February 1<sup>st</sup>, 2022 local recall election, we have been very concerned about security and how to keep ensure the safety of our staff. We have made a variety of updates to our facility: secured an information technology resource with locking metal gates, moved many file cabinets into a 'wall of privacy' for our executive offices, which previously faced the observation area for tally. We now track every person who enters our facility. We held an observer debrief after the February election, developed a specific training for observers, scheduled observer tours prior to June's election, and created a schedule of events which is published weekly on our website. This is all a new and unfunded work load.

In order to accommodate the larger and more intrusive observers, we now limit work on the election to the hours of 9a-4p, which allows staff time to check email and prepare for their day prior to beginning ballot processing. It also allows the management team time to check in with staff and take care of administrative tasks. Not surprisingly, it also reduces the number of hours we can spend daily processing ballots and completing canvass tasks. So elections we would have previously been able to canvass in two weeks are now taking a minimum of three – with costs born by the taxpayer, as longer hours for staff means a more expensive election. (In California, election officials have 30 days to canvass the election, which includes performing post election audits and certifying the results to local governing boards and the secretary of state's office.)

We have begun the process of installing cameras in all our public areas; supply chain issues have delayed some of the hardware availability. We hope to have the system up and functioning completely before the November 2022 election. Additionally, we plan to improve staff safety by enclosing the lobby area and break areas, projects that will approach \$70,000; hopefully we will be able to complete that before November 2022's election.

Public records act requests, or Freedom of Information Act requests, have increased exponentially over the past 2 years. In 2017 through 2020, we received at most, 4 PRA requests per year. In 2021, we responded to 21 requests; the count is currently at 33 for 2022 as of June, only half way through the year. Many of the PRAs we are responding to are a result of the November 2020 election and have to do with records of our election tally – we are a Dominion customer. This number and the complexity of the required responses is a great drain on resources, which includes staff time from the election department and the county attorney's office.

We have requested an additional staff person in our requested budget for the 2022/2023 fiscal year, to assist with coordinating our observation program, responding to public records act requests, and coordinating our outreach to voters both in written materials and in digital formats. The expected cost for this additional full time equivalent is \$120,000 including benefits. This will be paid for by county general funds, and represents funds that would otherwise be spent by the County on mental health care locally or for deputies in our sheriff's department.

The combined budget for the County Clerk and Elections divisions is \$3.8 million. The county's requested budget for FY 2022-2023 in total is \$618,665,444. That is, Clerk and Elections is .6% overall of the county's budget. While the County has a variety of responsibilities and services to provide to the citizens of our community, I wonder if our citizens would agree that elections are only .6% important.

I completed and submitted this testimony on the weekend after election day here in California. The Friday after election day, for the first time in my career, I asked our local police to spend some time at our office at the end of the day to ensure my staff got to their cars safely. We are being accused of unethical behavior with no basis in fact, under the watchful eye of many observers. And before the final results of the election are known. The level of concern we are feeling based on the climate in our community is unprecedented in my experience. And unwelcome. But we are resolute, and will continue to count every vote cast by the voters in our jurisdiction.

I commend the committee for having the conversation, and am grateful to be able to go on the record about our experiences in Shasta County. To be clear, as election officials, we have always been the referee between sometimes aggressive opponents. But attacking the process is now part of losing an election; it has become a campaign tactic. But it is a campaign tactic that can and is eroding our democracy by eroding confidence in it. Thank you very much for your time and attention.