

October 4, 2024

The Honorable Merrick B. Garland, Attorney General  
Office of the Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue NW  
Washington, D.C. 20530

Dear Attorney General Garland,

We urge you to investigate recent efforts by an extremist, non-governmental organization called the “Election Crime Bureau” to obtain personal, sensitive information from Georgia county election officials through deceptive, fraudulent means.<sup>1</sup> It is unlawful to intimidate, threaten, or coerce voters *and those who aid* any person to vote—including election officials. It also is unlawful to impersonate federal officers for the purpose of demanding documents, or to falsely hold out as an official government agency. That is precisely what occurred here. And now election officials in Georgia who reasonably believed and abided by the misleading campaign of the “Election Crime Bureau” are at risk of intimidation and threats because the organization now holds and has control over the dissemination of these election officials’ personal information and Georgia’s voting security systems.

### **Background**

The Election Crime Bureau was founded and funded by Mike Lindell, a prominent proponent of thoroughly debunked claims of election fraud in the 2020 election. The group already is prepared to engage in tactics to undermine the 2024 election results based on similarly false claims, a plan it has named “The Anti-Steal Dossier.”<sup>2</sup>

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<sup>1</sup> Free Speech For People is a non-profit, non-partisan public interest legal organization that works to renew our democracy and our United States Constitution for the people. As part of our mission, we are committed to protecting, through legal actions, our elections and the right to vote.

<sup>2</sup> *The Plan to Secure Our Elections*, Lindell Offense Fund, <https://lindelloffensefund.org/the-plan/> (last visited Oct. 3, 2024).

In September 2024, several news outlets reported that the “Election Crime Bureau” emailed county election officials in multiple counties in Georgia. Under the subject line “Election Integrity Sharing and Analysis Center,” the email falsely informed recipients that the “Election Crime Bureau” was investigating voting software security developed by The Center for Internet Security (CIS) and its Elections Infrastructure Information Sharing and Analysis Center (EI-ISAC), a non-profit organization funded by the U.S. Department of Homeland Security.<sup>3</sup> The email informed officials that the EI-ISAC is charged with “securing election infrastructure components such as those under your jurisdiction,” and therefore the “Election Crime Bureau is investigating what steps have been taken in all 3,143 counties across America to ensure the security of the upcoming 2024 election.” As part of its “investigation,” it asked officials to provide their home address, personal cell phone numbers, and other sensitive information, and to provide information about monitoring systems developed by CIS.

Since the Election Crime Bureau sent the email, Georgia Secretary of State Brad Raffensperger warned county officials about the group, and CIS issued a public advisory directing recipients not to click on any links or respond to the survey, as the group appeared to be impersonating CIS.<sup>4</sup>

But the damage may already have been done; anyone who trusted the legitimacy of these emails may have shared sensitive election data or personal information with the extremist group. To comply with the sham “investigation,” election officials may unwittingly have undermined the security of Georgia’s election systems by placing sensitive information in the hands of Lindell’s group—information to which it is not entitled, and which could compromise the security of our elections. Furthermore, the personal information fraudulently obtained from election officials is enough to enable Lindell’s group to “dox” these officials (publicly release their home

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<sup>3</sup> See Justin Glawe et al., *Mike Lindell Group Accused of ‘Impersonating’ Election Cybersecurity Initiative*, Rolling Stone (Sept. 15, 2024), <https://www.rollingstone.com/politics/politics-features/mike-lindell-group-accused-impersonating-election-cybersecurity-1235102625/>; see also Travis Gettys, *Mike Lindell group fishing for personal info from Georgia election officials*, Raw Story (Sept. 16, 2024), <https://www.rawstory.com/trump-georgia-election/>.

<sup>4</sup> *Email from Election Crime Bureau Could Lead Recipients to Believe Email Is From Elections Infrastructure Information Sharing & Analysis Center (EI-ISAC)*, Center for Internet Security, <https://www.cisecurity.org/ei-isac/cyber-alert-misleading-email-to-election-officials> (last visited Oct. 3, 2024).

address and cell phone numbers) now or in the future,<sup>5</sup> or to unlawfully release sensitive information that undermines the security of Georgia’s election systems. This is particularly alarming given that election workers increasingly have been subject to efforts to obtain and leak their private information online since the 2020 election, including in Georgia.<sup>6</sup> In response, several states have passed measures to make personally identifiable information of election workers confidential.<sup>7</sup>

### **Lindell’s Group Must Be Investigated For Violations Of Federal Law**

These efforts to intimidate, threaten, or coerce election officials, or to attempt to intimidate, threaten, or coerce election officials must be promptly investigated. The “Election Crime Bureau,” by deceptively putting itself forward as an official agency with affiliations to federal offices—despite having no affiliation with these or any other government entity—fraudulently sought to obtain and in fact may have obtained sensitive election data and private information from election officials. Its

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<sup>5</sup> The Department of Justice has investigated increased threats and intimidation against election officials across the country, like leaving threatening and violent voicemails. Jane C. Timm, *The DOJ is investigating dozens of threats against election workers*, NBC News (March 24, 2024), <https://www.nbcnews.com/politics/elections/doj-investigating-dozens-threats-election-workers-rcna145014>.

<sup>6</sup> Election officials in Georgia have already been subject to harassment based on fraudulent claims about a stolen election, including death threats to election officials and their families. Madeline Halpert, *Abused and stalked, US election workers are bracing for 2024*, BBC (Aug. 17, 2023), <https://www.bbc.com/news/world-us-canada-66540466>.

<sup>7</sup> State Laws Providing Protection for Election Officials and Staff, NCSL, <https://www.ncsl.org/elections-and-campaigns/state-laws-providing-protection-for-election-officials-and-staff> (last updated Sept. 9, 2024). States like Montana, New Hampshire, Colorado, and Arizona have implemented protections against online harassment and “doxing.” Tracker: State Legislation to Protect Election Officials, Public Citizen (Sept. 17, 2024), <https://www.citizen.org/article/tracker-state-legislation-to-protect-election-officials/>; see also Joelle Gross, *Online Hostility Towards Local Election Officials Surged in 2020*, MIT Election Data and Science Lab (Feb. 27, 2023), <https://electionlab.mit.edu/articles/online-hostility-towards-local-election-officials-surged-2020>

campaign is intimidating, threatening, and puts the security of Georgia’s elections, election officials, and voters at risk.

The “Elections Crime Bureau” should be investigated for federal crimes related to voter intimidation and to the unlawful impersonation of officers. Pursuant to the Voting Rights Act, it is a federal crime to intimidate, threaten or coerce “any person for *urging or aiding any person*” to vote, register to vote, or attempt to vote, which includes election officials.<sup>8</sup> Federal law also prohibits false impersonation of “an officer or employee acting under the authority of the United States or any department, agency or officer thereof,” and who “in such pretended character demands or obtains any money, paper, document, or thing of value.”<sup>9</sup> An entity may not falsely advertise itself or use certain names indicating that it is a federal agency.<sup>10</sup> Indeed, “[s]tatutes that prohibit falsely representing that one is speaking on behalf of the Government, or that prohibit impersonating a Government officer, also protect the integrity of the Government processes. . . [t]he same can be said for prohibitions on the unauthorized use of the names of federal agencies. . . .” *United States v. Alvarez*, 567 U.S. 709, 721 (2012).

Election officials—who by the nature of their job “urge or aid” eligible voters—play a significant role in the safe and effective administration of U.S. elections and in the process by which eligible voters can safely and without intimidation have their votes counted. Yet here, the “Election Crime Bureau” targeted those entrusted to oversee elections by deceptively baiting these officials to hand over sensitive and confidential information. Any election official that received an e-mail from a group roleplaying as a law enforcement agency conducting an “investigation” of its personnel and systems would feel compelled to respond. Both the process and the

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<sup>8</sup> 52 U.S.C.A. § 20511(1)(B) (emphasis added); *see also* 52 U.S.C.A. § 10307(b).

<sup>9</sup> 18 U.S.C.A. § 912; *see United States v. Alvarez*, 567 U.S. 709, 721 (2012) (reaffirming the constitutionality of statutes that prohibit falsely representing that one is speaking on behalf of the Government); *see also United States v. Napoleone*, 349 F.2d 350, 351 (3d Cir. 1965) (finding sufficient evidence to support jury verdict against defendant falsely claiming to be conducting an investigation on behalf of a government agency).

<sup>10</sup> 18 U.S.C.A. § 709; *see United States v. Alvarez*, 567 U.S. 709, 721 (2012) (reaffirming constitutionality of “prohibitions on the unauthorized use of the names of federal agencies such as the Federal Bureau of Investigation (FBI) in a manner calculated to convey that the communication is approved”).

result—which places personal information in the hands of the “Election Crime Bureau”—is intimidating.

The Election Crime Bureau’s fraudulent campaign to lure private data from election officials not only is misleading and unlawful; it gravely undermines confidence in democratic elections.

Pursuant to your power as Attorney General of the Department of Justice, we strongly urge you to investigate the Election Crime Bureau’s unlawful attempt to fraudulently collect sensitive information about Georgia county election officials and Georgia’s election security programs.

Please do not hesitate to reach out to us if you have any questions or if we can be of any assistance.

Sincerely,

John Bonifaz, President  
Ben Clements, Chairman and Senior Legal Advisor  
Courtney Hostetler, Legal Director  
Amira Mattar, Counsel

**Free Speech For People**