

Protecting Our Democracy's Frontline Workers

Natalie Adona Testimony to the Senate Judiciary Committee

My name is Natalie Adona. I am the Clerk-Recorder Elect for the County of Nevada, California. I have served as the Assistant Clerk-Recorder in Nevada County since October 2019 and won the June election for County Clerk-Recorder on June 7, 2022. I have extensive experience in election administration, research, and policy. I can offer my resume of experience on request.

I offer this testimony to share my recent experiences as an election administrator in my county. I also offer the Senate Judiciary Committee feedback on my experience interacting with the DOJ Special Task Force on Threats Against Election Workers (DOJ Task Force).

Shortly after I declared my intention to run for office, citizens in my county approached my office with paperwork to initiate a local recall of the county's board of supervisors. These recall proponents had grown increasingly upset over the county's decisions to mitigate and slow the spread of the coronavirus. While some in the group were clearly focused on Covid-19 protocols, many also expressed other grievances, including the false belief that former President Trump was the true winner of the 2020 election.

My staff expressed discomfort with these recall proponents—not because of their cause, but because they were frequent visitors in our office and had traveled in a large group, unmasked, and filming every moment of their crusade to unseat our supervisors. My staff reported that they felt intense pressure to direct all resources toward the recall effort whenever the group would call or appear in person, and that proponents had been pushy, rude, and demanding. Recall proponents were also participating in a prayer activity called a "Jericho Walk," blowing a horn fashioned from an antler and walking around the County building, as the Israelites had done to bring down the walls at the Battle of Jericho.¹

At this time, Nevada County was seeing a dramatic surge of Delta variant cases. My staff were concerned about contracting Covid-19 and spreading it to their loved ones, several of whom have pre-existing medical conditions. After speaking with my staff and relevant county authorities, I initiated a stricter Covid-19 protocol than was provided for at the time.

I was preparing myself for pushback from the recall proponents and spoke with county officials about these concerns. Somewhere in the course of these conversations, there was a miscommunication as to the role of the county sheriff's office and whether their deputies would support our office's mask mandate. I believed that the sheriff's deputies would help us work with mask less recall proponents and de-escalate any tense conversations as we enforced our office's rules of conduct. As it turned out, the sheriff (also an elected official) believed that our staff expected their officers to enforce our mask mandate. I also learned that the sheriff's department had intentionally decided not to enforce mask mandates in the county building (and probably most other places outside of the county courthouse), on the belief that doing so would prompt deputies to use force against those who did not want to wear masks or would otherwise escalate tensions unnecessarily.

This misunderstanding contributed to an incident where recall proponents pushed their way into our office. The day prior, recall proponents completely disregarded our rules and the rules around mask wearing in the county building. They walked past unarmed guards, ignored all signs directing visitors to wear masks, and dismissed our staff's urging them to wear masks or limit their group numbers. I confronted the recall proponents and forcefully expressed my disappointment and outrage at their behavior. I offered to accommodate them outside of the office and they refused. I then served the recall proponents and they left. After talking to staff, we decided to further control the capacity of our lobby by

¹ Recall proponents participating in the Jericho Walk claimed that the intent of their prayer was peaceful. The Battle of Jericho, contained in the Book of Joshua in the Old Testament, is described as a violent overthrow and conquest of Canaan. For a short synopsis, please refer to this link https://en.wikipedia.org/wiki/Battle_of_Jericho.

locking the door and having customers ring a bell. This would allow us to remind the public about our masking rules and control the number of people in the lobby.

Three recall proponents did not agree with our updated protocol and had a confrontation with our office staff. Recall proponents forcefully pushed a door into a staff member, who was struck and subsequently forced to let them through. At the time, I was speaking with the Office of the Secretary of State about what happened to that point when I was informed by my staff of the incident. When I confronted the recall proponents, I noticed two things:

- My staff had rushed into the restricted area of our office. They were clearly frightened. The staff are instructed to go further into the office because the door separating the public from the restricted area can be locked.
- Recall proponents were also Jericho Walk participants. I was unsure what they would do or how I could stop them from pushing their way through another door, past me. I attempted to answer their questions quickly so they would leave.

One recall proponent promised me that if I continued to keep the main office door locked during business hours, that “it will be bad for you.”

When they left, I promptly instructed my staff that our lobby would close to walk up service until further notice.

The next day, they returned to complete Day 7 of the Jericho Walk and then 12-15 recall proponents walked up the stairs to our office door. They carried large flags on big poles; some American flags, some flags with “Don’t Tread On Me” emblazoned on them. After discovering that the door was locked, they shouted loudly, pounded on doors throughout the hallway, and posted themselves at every exit. They accused me of political interference with the recall process and corruption. Our staff and I tried to work while this was happening, but it was near impossible. None of us knew when the recall proponents would leave or if we could even use the bathroom across the hallway without risking another confrontation.

I called the sheriff’s office, who was apparently monitoring the situation but were not engaging with these citizens.

I called the FBI field office to inform them of what was happening. I was told that this was a local matter, but they were happy to take down a report for their records.

I called the Secretary of State’s office to update them. They couldn’t do anything. The next day, I asked the state how I and my staff could participate in the state’s Safe at Home confidentiality program, as these recall proponents may ask for a voter roll to conduct activities. The answer was not forthcoming.

At this point, and for months afterwards, I felt isolated and depressed. I had panic attacks every few days. I felt that no one had our back. I focused all my attention on my staff’s safety, because they were clearly nervous about the unknown.

After a conversation with our County Counsel, she decided to file a temporary restraining order against the three recall proponents who pushed their way in. A public hearing was scheduled and the proponent’s attorney happened to run and lose a campaign against my boss 12 years ago—it was clear that he had not let that loss go and used the hearing as an opportunity to take frustrations against my office out on me and other county witnesses.

While the restraining order was largely decided in my favor and had the effect of keeping recall proponents away, it opened a door that gave recall proponents and their supporters—including my two political competitors—tacit permission to publicly lambast me and my candidacy over the six months between the incident and the June election. These citizens were well funded and spent tens of thousands of dollars to defame me and my office. They accused me of violating state campaign finance

laws (even though they knew I had not), asked our board of supervisors to hire a third party to run the election, and asked the court to disqualify me days before the election.

During this time, these recall proponents and their supporters made deliberate efforts to sow doubt in my office and the elections process. My opponent who came in third place persistently spread falsehoods about the elections process, so much that it got the attention of the Secretary of State's staff. They made the race for County Clerk-Recorder about me. About my apparent lack of ethics. For them, I was an outsider, not from the county, and a political operative bent on tipping the scales toward Democrats.

I'm just trying to do my job and keep my staff safe.

I won my election with close to 68 percent of the vote. There was nearly 45 points separating me and second place. The second-place candidate then had a conservative activist named Randy Economy of Southern California request a full manual recount of my contest. Less than a week later, the request was withdrawn, likely due to the cost of a recount and the negative media coverage triggered by the request.

After these past 6-7 months of harassment and intimidation by a small but vocal group of citizens, I came to the following conclusions:

- All these events were driven by citizen's fear of the county's changing political and social dynamic. Some of the vitriol was driven by Covid-19, some was prompted by my race and gender. I represent the kind of change in the area that some fear.
- The real problem is not rooted in elections process. Though I agree that elections offices, including ours, need to increase voter education and transparency around process, the purpose of sowing doubt in elections is not to change the way elections are run. When my office published an educational ad in our local paper as we had in the past, there was an outcry that I was using county funds to campaign and that I should not educate voters at all. When I trained election workers, they similarly cried foul and accused me of corruption. When the recount process was triggered, by law, neither I nor my boss could manage that process. This is not about process; it is part of a plan to remove experienced election officials from office.
- I'm not the only official to go through this. Many election officials find themselves in situations where there is a growing threat environment but no "true threat" for law enforcement to act on. As far as I am aware, there is nothing that law enforcement can do (or is willing to do) to quell tensions or provide protections to election officials who experience harassment and intimidation. We must wait until a true threat occurs or is imminent before contacting law enforcement.

In my experience, our office does not have sufficient support from federal and local law enforcement when faced with threats, harassment, and intimidation. Our office must now increase our budget for private security to support our office during elections.

At the local level, I believe that our law enforcement lacks the training necessary to distinguish a threat from protected political speech and then provide the appropriate de-escalation tactics. In my own case, local police did nothing to engage with the recall proponents who came in with large flag poles and stationed themselves in the hallway outside my office. Perhaps there is no mechanism in the law that allows or requires the sheriff to do anything. I believe that the sheriff's deputies determined that lawful speech was taking place and did not feel empowered or willing to act. I do not believe that this dynamic amongst local law enforcement is confined to Nevada County, California. In fact, Reuters published a

widely distributed article diving into threats that elections officials had received and showed that far more threats had been received than law enforcement believed.²

At the state level, California is fortunate enough to have established fusion centers that provide support to state and local election officials. The Secretary of State recently provided election officials with guidelines for local offices to improve physical security of people and voting equipment and has been responsive to my office's need for basic information and advice. However, there is no mechanism to provide direct help when election officials are threatened, harassed, and intimidated as a result of their jobs. Elections officials, like any registered voter, can be found via the purchase of voter rolls. Though the voter rolls are offered for a fee for limited use, there may be a need to shield an election official's address from a public record request. Fortunately, the California Secretary of State has recently promulgated regulations to tighten up the rules on voter roll purchases. However, there are still vulnerabilities that California and other states are addressing.

At the federal level, our office has the proper points of contact for the FBI. The state and federal government ensured that we have the emails and phone numbers for our assigned agents, and I have complete confidence that agents would be responsive if I told them of a true threat to me or anyone in my office. However, anything short of a true threat will result in the FBI taking a report, with no other services provided. While the reasons why are understandable, harassment and intimidations tactics similar to those I've described have slowly and steadily eaten away at election worker morale across the country, from the chief election official to the volunteer poll worker. In fact, elections offices across the nation are facing staffing shortages as a result.

It cannot be that the only purpose of the DOJ Task Force is to address true threats and provide no other support or resources to elections offices. Task forces are created for collaboration, idea sharing, and problem solving. They are not typically created simply to prioritize the enforcement of the law.

All the agencies that comprise the DOJ Task Force must be empowered to do more to address the brewing threat against election workers as our nation approaches the 2024 presidential election cycle.

As the DOJ Task Force continues to collaborate on how it can best assist the election official community, it would be helpful to engage in the following activities:

- Rethink, recognize, and respond to the current threat environment. Threats against election officials will increase in the 2024 election cycle. Harassment and intimidation come in many forms, and local law enforcement are not prepared to fully support our offices.
- Engage with law enforcement. Based on my recent experience and discussions with my peers, the DOJ Task Force may be best situated to engage with states and local law enforcement on the current threat environment and the election official experience. Election officials are not trained in de-escalation tactics, but law enforcement officials are.
- Be clear on what kinds of information you want from local election officials and what support agents can provide. When the DOJ Task Force was formed, elections officials were told to report everything, no matter whether an incident rose to the level of a federal crime. If we didn't know whether we should report, we were told to report anyway. After being told time and again that FBI could not do more than take a report, I no longer find much value in reporting to the FBI at all. If there are better ways to engage with federal law enforcement, I want to learn more about those options and welcome the opportunity to join in a conversation.

My hope is that my experience will help inform the Senate Judiciary Committee on its next steps toward protecting election workers. To be clear, my intent is not to lay blame on any one person or agency in

² See Peter Eisler, Jason Szep, Linda So, and Sam Hart, Anatomy of a Threat, Reuters, found at (last visited July 27, 2022) <https://graphics.reuters.com/USA-ELECTION/THREATS/mopanwmlkva/>.

providing this testimony. Rather, I am honored and humbled by this opportunity to contribute to what I hope will be a productive and meaningful dialogue to address the difficult problem of rising political violence in the United States.

But election officials like me feel isolated, like no one has our backs.

Offices like mine need support from Congress and law enforcement. Please use your power to help election officials like me continue to serve our country.

Elections infrastructure requires people who know how it functions and how to maintain it. I fear that if you do not act, there will not be an elections infrastructure to speak of.

Thank you.

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