

ON THE FRONT LINES OF DEMOCRACY: A GUIDE TO WHISTLEBLOWING FOR ELECTION WORKERS

Because democracy is not just on the ballot.
It is the ballot.



GOVERNMENT
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PROJECT

DEMOCRACY PROTECTION INITIATIVE

democracy.whistleblower.org



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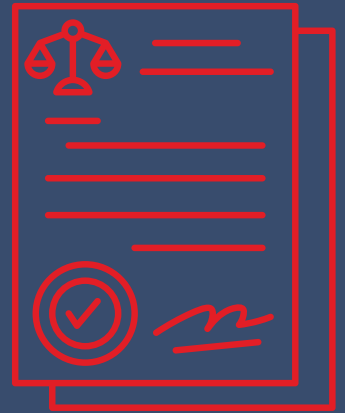
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The Threat

Across the nation, threats to the integrity of our elections and proper functioning of our democracy are intensifying daily. The possibility that legitimate election results might be overturned and replaced with illegitimate ones—an unthinkable outcome until the recent past—is now a very real threat.



State legislatures across the country have used false claims of election fraud from the 2020 election to pass new laws that seize power from professional, non-partisan election administrators and expose the election process to partisan influence and disruption, creating conditions for delay, chaos, and uncertainty that will interfere with the counting of votes and certification of election results.



Current elected officials and new candidates explicitly promote the “Big Lie” that the 2020 election was stolen, undermining trust in the integrity of the election process. Violence is being perpetrated and sanctioned against elected officials and poll workers alike. And election deniers are an insider threat, having filled open state, county and local election official positions, from Secretaries of State to town clerks to positions that supervise polling places and oversee vote counting.²



The bedrock of our democracy—fair elections and the fundamental right of all Americans to vote and have their votes counted—is under attack, and election workers are on the front lines.

Election Workers Are the First Line of Defense

As an election worker—be you a poll worker, a manager, a clerk, an inspector, or a municipal, county or state election official—you may be the best, and possibly the only, person in a position to notice and report the illegal actions of other election workers. Federal and state laws mandate that election workers perform their duties impartially, follow the law, and do not disrupt or interfere with voting and election administration.

By simply speaking up, you can prevent the following kinds of illegal attempts at election sabotage:³

- Election workers who fail to be impartial or who engage in partisanship by taking direction from a political party or party official
- Any voter harassment, intimidation or threats for the purpose of interfering with a person's right to vote or to vote as they choose
- Election officials who turn a blind eye to intimidation
- Election workers who spread false information that disrupts elections and deters voting
- Election workers who improperly challenge a voter's eligibility, including a challenge made for the purpose of "annoying or delaying" voters
- Election workers who tamper with or improperly remove election equipment.



Whistleblowing 101 for Election Workers



Whistleblowers are workers who disclose truthful, verifiable information about wrongdoing that often only they are in the position to discover and expose. Whistleblowing is the only mechanism that can root out illegal actions that subvert democracy as they happen.

Whistleblowing is Protected Activity. Whistleblowing is protected by law and recognized as essential to promoting legal compliance and protecting the public interest. A patchwork of federal laws, as well as state and local laws, protect workers from retaliation who disclose information they reasonably believe evidences illegal election interference.

Whistleblowing Is Complicated. Reprisal is unfortunately a predictable risk of blowing the whistle on serious wrongdoing, and with threats and actual acts of violence perpetrated against election workers and elected officials, the risk of speaking out about illegal election interference cannot be underestimated.

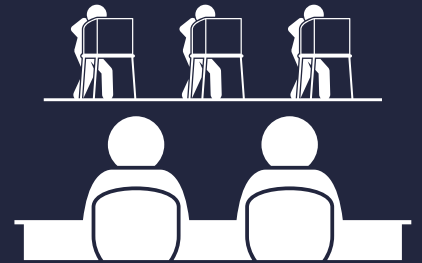
You will be faced with significant choices, such as whether to remain anonymous and whether to report misconduct internally or externally. Because there is no single law that protects all whistleblowers, consulting with attorneys experienced with representing whistleblowers in advance of making disclosures can help you assess your rights and options for reporting unlawful election interference in ways that minimize the risk of reprisal while ensuring that your disclosures help protect the integrity of the election process.

Whistleblower Survival Tips

- 1. Seek legal advice early from a lawyer who has experience helping whistleblowers.** Determining the legal remedies and strategies which are best in each situation is complicated. Attorney-client privilege will also ensure your communications will remain protected and confidential when seeking legal advice.
- 2. Create a paper trail.** Maintain an ongoing and detailed record of all events: what you discovered, when and to whom you complained, and any retaliation you suffered, noting witnesses and any supporting evidence.
- 3. Test the waters and garner the support of work colleagues.** Determine which colleagues would corroborate your observations or even participate actively in blowing the whistle.
- 4. Work within internal channels if it will be safe and effective,** but do not let yourself be perceived as a threat.
- 5. Identify potential allies,** such as journalists, public interest organizations, and state or federal enforcement agencies. Solidarity is essential to both making a difference on misconduct and surviving the experience.
- 6. Use secure communication tools,** like WhatsApp or Signal, to connect with external allies.
- 7. Consult your loved ones and check for skeletons in your closet.** Even if it is your professional and civic duty to protect against illegal election interference, the risk of retaliation, even in the form of violence, is tragically real. Blowing the whistle will have an impact on your family and friends; enlist them in the decision to secure their support.

How To Blow The Whistle

Whistleblowing is complicated but can be done safely and effectively.



Government Accountability Project is the nation's leading whistleblower protection and advocacy organization. With over 40 years of experience guiding whistleblowers through every stage of the process—and ensuring their disclosures make a difference—our internationally-renowned attorneys and experts are here to help.

If you are considering blowing the whistle, Government Accountability Project attorneys are here to provide free legal advice and support. As a first step, find additional information about blowing the whistle at:
<https://whistleblower.org/resources/>

To request pro bono, confidential legal guidance about reporting concerns about illegal election interference:

Fill out our secure intake form:

<https://whistleblower.org/how-to-request-assistance/>

or

**Contact Government Accountability Project at
democracy@whistleblower.org or (202) 457-0034.**

You can help protect our elections and our democracy. And we are here to help.

Additional Election Protection Resources

Election Protection Hotline

National, nonpartisan Election Protection coalition that protects, advances and defends the right to vote.

<https://866ourvote.org/>
866-OUR-VOTE/866-687-8683

Department of Justice Law Enforcement Task Force

Dedicated task force, made up of the DOJ's Criminal, Civil Rights, and National Security Divisions, the FBI, and interagency partners to protect against threats to election officials, workers, and volunteers.

To report suspected threats or violent acts:

1-800-CALL-FBI (225-5324)

tips.fbi.gov

1 Washington Post, [*3 ways election deniers are threatening U.S. democracy, explained*](#) (Nov. 1, 2022); States United Democracy Center, [*A Democracy Crisis In The Making: May 2022 Edition*](#) (May 19, 2022)

2 Democracy Docket, [*Statewide Election Denier Roundup*](#) (October 21, 2022); States United Democracy Center, [*Replacing the Refs*](#) (October 15, 2022)

3 For a summary of federal election crimes, see FBI, [*How We Can Help You: Election Crimes and Security*](#). The Brennan Center for Justice has developed state-level guides, [*Poll Worker Rules and Constraints*](#), that detail the existing guardrails that protect against election interference by poll workers in Arizona, Florida, Georgia, Michigan, Nevada, Ohio, New Hampshire, North Carolina, Pennsylvania, Texas, and Wisconsin, the states most vulnerable to election interference. For additional examples of illegal voter intimidation, visit Protect Democracy, [*What is voter intimidation?*](#) and Brennan Center, [*Voter Intimidation and Election Worker Intimidation Resource Guide*](#) (October 28, 2022).



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Government Accountability Project is the nation's leading whistleblower protection and advocacy organization. A non-partisan public-interest group, Government Accountability Project litigates whistleblower cases, publicizes whistleblowers' disclosures, and develops legal reforms to protect the public interest by promoting government and corporate accountability. Since 1977, Government Accountability Project has helped over 8,000 whistleblowers.

Because Truth Deserves A Champion.

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