

Promoting Fair and Free Elections *List of Resources and Materials*

This list contains useful materials and resources that can assist elected prosecutors working to promote fair and free elections and protect the rights of all voters. The listed materials offer examples, ideas, promising practices, and key information that can guide elected prosecutors on issues including: enhancing voter information, debunking myths around voter fraud, and addressing concerns with private armed militia. This selection of resources from around the nation includes recommendations for action steps and elected prosecutor engagement, as well as useful articles, reports, and websites on these topics.

Protecting Fair and Free Elections and Providing Voting Information

1. [Promoting Fair and Free Elections - Recommendations for Elected Prosecutor Engagement in Protecting the Right to Vote](#), Fair and Just Prosecution (2020). A guide for elected prosecutors contains recommendations on specific steps elected prosecutors can take to protect voting rights and guard against interference at the polls, ensure that the public is adequately informed of voting procedures and key information, and proactively dispel any misinformation or myths.
2. [Joint Statement by Law Enforcement Leaders on Protecting Voters](#), Fair and Just Prosecution (2020). Statement signed by 79 elected prosecutors and law enforcement leaders that highlights the importance of safeguarding the right to vote.
3. [The Myth of Voter Fraud](#), Brennan Center for Justice (2007). A report that recounts key facts and statistics underscoring the integrity of mail-in voting and the rarity of voter fraud.
4. [Massachusetts Attorney General's advisory](#), Massachusetts Attorney General Maura Healey (2020). Advisory that reminds citizens of their right to vote safely and free from intimidation and summarizes the ways that this right is protected.
5. [Bexar County DA Request for Opinion](#), Office of the Bexar County, TX District Attorney (2020). Letter sent by Bexar County, TX, District Attorney Joe Gonzales to the Texas Attorney General that describes concerns over the removal of mail sorting machines and sets forth applicable laws that empower the DA to prosecute interference with voting.
6. *Several resources from the Washington, D.C. Attorney General's Office including:*
 - [DC Voter Checklist](#) (2020): Includes important reminders and resources for voting.
 - [District Voting Rights and Information](#) (2020): Provides information such as who can vote, when voting is taking place, and a brief 'Know Your Rights' recap.
 - [Voter Advisory](#) (2020): Informs voters about what is permissible and not permissible for poll watchers and clarifies steps voters can take should they encounter impermissible voter intimidation.
7. [Protecting Against Voter Intimidation](#), Institute for Constitutional Advocacy and Protection (ICAP) (2020). Fact sheet that addresses what voter intimidation is, provides

examples of voter intimidation, summarizes laws around poll watching, and sets forth tips on what to do in the event of suspected voter intimidation.

8. [Voter Protection Program](#), Progressive State Leaders Committee (2020). A webpage with non-partisan resources, strategies, and recommendations for state elected leaders and law enforcement officials on protecting the vote.
9. [Summary of State Laws on Poll Watchers/Challengers](#), National Association of Secretaries of State (2020). Summary of laws related to poll watchers, poll challenges, and other authorized polling place observers from all 50 states.
10. [Guidance Regarding Voter Intimidation and Harassment](#), Vermont Attorney General's Office (2020). Guidance from Vermont Attorney General T.J. Donovan on preserving a free and fair election that highlights the illegality of voter intimidation and outlines efforts the Vermont Attorney General's office will undertake to ensure it does not occur.
11. [Fort Bend County Sets Up 'Election Task Force'](#), Fort Bend Independent (2020). Describes Fort Bend County, TX, District Attorney Brian Middleton's new election task force, whose members will be spread throughout the county to respond to and quickly step in to address voter intimidation complaints.
12. [Guidance to Prosecutors on Election Day Readiness](#), Baltimore State's Attorney's Office (2020). Guidance from State's Attorney Marilyn Mosby encouraging prosecutors to pay special attention to crimes that occur in the context of the election, including summaries of some especially relevant criminal statutes.
13. [Local Prosecutors Are Now the Last Defense Against Voter Suppression and Election Day Chaos](#), Miriam Krinsky, MarketWatch (2020). Op-ed describing how local prosecutors are preparing to ensure that everyone in their communities is able safely to exercise their right to vote.
14. [Protecting the Integrity of Our Elections: A Message from DAs to America](#), Fair and Just Prosecution (2020). A video in which elected prosecutors and law enforcement leaders from across the country underscore the importance of voting and why they are standing together to protect the integrity of our election process and the right to vote.

Addressing Unauthorized Armed Militias

1. *ICAP has a number of useful resources on the topic of unauthorized armed militias, including:*
 - [Prohibiting Private Armies at Public Rallies](#) (2020). A 50-state catalog of constitutional and statutory provisions regarding unauthorized militias.
 - [State Fact Sheets](#). Fact sheets for each state on unauthorized militias and what can be done if armed individuals are near a polling place or voter registration drive.
 - [Protests and Public Safety: A Guide for Cities and Citizens](#) (2020). A toolkit that discusses every state's legal basis to restrict unauthorized militias.
 - [The Plot Against Gretchen Whitmer Shows the Danger of Private Militias](#), Mary McCord, New York Times (2020). Op-ed discussing the rise of unlawful private militias and providing recommendations to state and local officials to prevent these groups from interfering with the right to vote and peacefully protest
2. [Guns Down at the Polls: How States Can and Should Limit Firearms at Polling Places](#), Coalition to Stop Gun Violence and Guns Down America (2020). A report examining

potential methods that states can use to protect voters from gun violence and armed intimidation at the polls without interfering with constitutional rights.

Policing Practices

1. [Protecting and Facilitating the Right to Engage in Peaceful Protests and Demonstrations](#), Ron Davis and Lateefah Simon (2020). Memo for California Governor Gavin Newsom providing recommendations to improve police responses to demonstrations and protests and encourage de-escalation.