

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ANDREW NICKELS,

Defendant.

Case No. 23-cr-20434

Hon. Laurie J. Michelson

EXHIBIT A



STATE OF MICHIGAN  
JOCELYN BENSON, SECRETARY OF STATE  
DEPARTMENT OF STATE  
LANSING

June 27, 2024

The Honorable Laurie J. Michelson  
Theodore Levin U.S. Courthouse  
231 W. Lafayette Blvd., Room 737  
Detroit, MI 48226

**Victim Impact Statement**

Submitted by Michigan Secretary of State Jocelyn Benson in Support of Tina Barton to Judge Laurie J. Michelson.

Like many election administrators across the country, former Rochester Hills city clerk Tina Barton faced enormous challenges during the 2020 election. When her office was questioned over the result in a razor-thin margin race, she did the right and courageous thing, working hard to follow the law and ensure Rochester Hills' vote tally was accurate and reflected the will of her jurisdiction's voters. For this, Tina Barton is an American hero.

While her courageous actions earned her well-deserved recognition of her expertise and professionalism, some individuals, like the defendant in this case, responded with vitriol and threats of violence. Since then, Tina and her family have faced intimidating threats of harm and even death from misguided, misinformed, antigovernment radicals. A death threat is a cruel and dangerous attack that forever alters a person's life. It erodes their sense of personal safety and heightens their feelings of fear and mistrust, not just at work, but in every part of their life at all hours of the day. Clerks' jobs are difficult enough. We cannot allow a society where they live in fear of intimidation, harassment, and threats on their lives. Just because clerks have been incredibly resilient to these attacks cannot mean that we have reached a new normal. These threats pose real danger to dedicated public servants and present a crisis for not only American democracy, but our most fundamental values. There must be swift and appropriate consequences for threatening our election professionals.

Unfortunately, the threats Tina has faced are an all-too common occurrence for election workers in Michigan and across the country. These threats are meant to terrorize election administrators and prevent them from doing their job and drive these dedicated public servants out of civic service.

The U.S. Election Assistance Commission reports that, of the approximately 53% of poll workers who served in 2016, 24% were age 71 or older and another 32% were between the ages of 61 and 70. Eighty percent of poll workers are women. Poll workers also live and work in the same communities of the voters they serve. According to a 2023 Brennan Center survey, 11% of current election officials say they are very or somewhat likely to leave public service before November 2024. The drum beat of harassment faced by election workers does serious harm to election administration operations, and losing seasoned administrators who are tired of enduring harassment drains experience and expertise from this highly technical field. Attacks on election officials are attacks on democracy.

Victim Impact Statement from Secretary Benson to Judge Michelson  
June 27, 2024 – Page 2

In Michigan, we have passed laws that have strengthened penalties for threatening election workers, and I will support any future legislation that seeks to impose strong legal consequences on those who threaten or attack workers for doing their jobs.

As election administrators, we cannot, and should not, allow fear to prevent us from doing our duty in defending democracy. In fact, in the face of these threats, many of us are emboldened to carry out our duties with even greater vigor and integrity. It is only when we stand up for what is right, that we will prevail against these agents of chaos who seek to sow fear, confusion and chaos. Though she has retired from the City of Rochester Hills, Tina Barton continues to support election administrators in Michigan and across the country, mentoring new clerks and working hard every day to ensure our elections remain safe, secure and accessible. I am grateful for her perseverance and continued commitment.

Sincerely,

A handwritten signature in purple ink that reads "Jocelyn Benson". The signature is written in a cursive, flowing style.

Jocelyn Benson  
Michigan Secretary of State