Election Administration: A Guide to State and Federal Authority

September 2026

This guide is produced by the Office of the Secretary of State (OSOS) and the Office of the Washington State Attorney General (AGO) to support county election officials in understanding legal authorities, processes, and considerations related to potential federal interactions with Washington state elections. This material is intended for general informational and preparedness purposes only and does not constitute legal advice.

A message from Secretary of State Steve Hobbs and State Attorney General Nick Brown:

Safe and secure elections are the core of our democracy, and as state officials, it is our duty to partner with you to ensure Washington's elections are protected. In the event of any attempted interference that may affect elections, we are prepared to take action and support your critical work however we can.

With that in mind, we have compiled guidance for how our county partners — and our offices — can respond to any scenarios that may interfere with voters' rights or election administration. While we hope this guidance will prove unnecessary, this booklet is available as a resource should these situations arise.

Thank you for your dedication to supporting safe, secure, and accurate elections in our state.

Steve Hobbs
Secretary of State

Nick Brown
State Attorney General

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State authority and role in election administration

The states have played the primary role in administering elections — including federal elections — since the founding of the country. The Constitution empowers state legislatures to prescribe the "Times, Places and Manner of holding" congressional elections. Art. I, § 4, cl. 1. While Congress may pass laws concerning federal elections, the Supreme Court has made clear that the "default" for administering congressional elections belongs to the States. *Foster v. Love*, 522 U.S. 67, 69 (1997).

In Washington, our elections are primarily administered by each county, subject to the oversight and supervision of the OSOS. As the chief elections officer, the Secretary of State is responsible for supervising state and local elections and certifying the results of state primaries and general elections. The OSOS also sets statewide election standards and security practices for elections, maintains statewide election systems, supports the administration of voter registration, and works in partnership with county election officials to ensure elections are conducted securely, accurately, and in accordance with state and federal law.

As the chief legal officer of the state, the Attorney General provides legal advice to the OSOS and represents the office in elections-related litigation, including challenges to OSOS systems, procedures, or certification. The Attorney General also represents the state's interests as a sovereign, including in litigation challenging federal executive action that seeks to unlawfully usurp state and local control of elections.

Federal investigations of election officers and offices

Historically, federal law enforcement has taken a supporting, behind-the-scenes role in elections and has avoided overt investigatory actions that could be seen as political interference in an election. In recent months, some local elections officials have expressed concern that election workers may face confrontation with people purporting to be federal personnel investigating local elections, including at voting centers or other facilities.

A federal investigation can take many forms, including a verbal request for an interview or documents, a letter request for documents or information, a judicial or administrative subpoena, or execution of a federal search warrant. It is important to know your rights to ensure you comply with your legal obligations in each circumstance, do not obstruct a lawful investigation, while also seeking to minimize any negative impact of these events on the administration of a safe, secure, and accurate election.

This is not legal advice. You should consult your counsel, the OSOS, and the AGO if you or anyone in your office are contacted by a federal agent or if you learn of a federal investigation.

State and federal law make certain election-related information confidential. Whether materials can or must be disclosed to the federal government will depend on what information is requested and how it is requested.

Tip! A request for voluntary cooperation could be a signal of a larger investigation and the possibility that federal agents will attempt to seek a subpoena or search warrant. But it could also be an attempt to gain unauthorized access to election equipment. Providing prompt notice to your counsel, the OSOS, and the AGO will help in understanding the scope of the investigation, and provide time to take legal action if possible and prepare for the possibility of additional law enforcement action.

A. Federal personnel you may encounter

As elections officials, you may be confronted by individuals who claim to be federal employees or officials, including federal law enforcement agents. This may include:

- **Election monitors from the U.S. Department of Justice (DOJ)**
  For decades, the Justice Department's Civil Rights Division has sent election monitors to voting locations nationwide to assess state and local compliance with federal civil rights voting laws. These monitors have no special federal authority to enter election facilities — their rights are akin to the general public. Historically, DOJ monitors have observed election activities with the consent of local officials. They have no special rights to enter election locations unauthorized, to talk with voters present, or to interfere with the conduct of voting.

- **Congressional election observers**
  Congress may send election observers pursuant to the Confirmation of Congressional Observer Access (COCOA) Act, 52 U.S.C. § 21083a. These observers are entitled to greater access than members of the public or DOJ monitors, including accessing voting, tabulating, canvassing, and certification areas. They may ask questions of officials and workers but still cannot handle ballots or election equipment or otherwise interfere with officials' ability to carry out their duties.

- **FBI or other DOJ personnel conducting an investigation**
  Agents from the FBI or other DOJ personnel may attempt to conduct investigations at election locations. As described below, they may present authority to access certain locations pursuant to subpoena or warrant or other court order.

- **Department of Homeland Security (DHS) investigators**
  There have been recent examples of DHS personnel, including U.S. Immigration and Customs Enforcement (ICE), at the polls in other states. DHS personnel typically do not have judicial warrants or court orders allowing them to access information but may have administrative subpoenas.

B. Verbal requests for interviews or documents

If any of these individuals present themselves and ask for consent for an interview, or for the voluntary provision of documents, you can consider the following actions:

- Verify the identity of the federal agents or observers.
- Verify that the agents are making a verbal request for consent and that the agents do not have a subpoena or search warrant.
- Determine the scope of the request, including whether the request seeks non-public election materials or to access non-public locations.
- Once you are certain that the agents are making a verbal request only, consider telling the agents that you need to discuss the request with your counsel before consenting to an interview or voluntarily producing documents.
- Contact the OSOS and the AGO.

Others working in your office may consent to an interview, may refuse to be interviewed, or may tell agents they will only be interviewed in the presence of counsel.

Unless they are authorized to do so, those who work in your office should generally not release documents in response to a request for voluntary production of documents. Generally, absent a judicial warrant or other court order, or subpoena, there is no requirement for elections officials to disrupt the election process to accommodate such a request.

C. Letter requests for documents or information

If you receive a letter from federal law enforcement requesting documents or information:

- Promptly contact your counsel and notify the OSOS and the AGO.
- You do not need to respond to the letter directly without clear direction from your legal counsel. Your counsel should handle communications with the law enforcement agency.
- The OSOS and the AGO are always available to consult with you and your counsel about whether and how to respond to the letter request.

D. Subpoenas

Subpoenas can be an administrative subpoena (see **Attachment A**) issued directly by the agency, a judicial subpoena, or a grand jury subpoena (**Attachment B**).

Generally, subpoenas do not require election officials to immediately provide access to election locations or materials. Prosecutors may issue “forthwith subpoenas” that demand immediate access, but such cases are rare.

If you receive a subpoena:

- Contact your counsel promptly. Your counsel should handle communications with the law enforcement agency.
- Notify the OSOS and the AGO unless it is a grand jury subpoena that explicitly includes a non-disclosure requirement.
- If you are asked to sign for the subpoena or if the subpoena is sent by certified mail, make a copy (or take a picture) of the signed receipt and the date of the receipt.
- Forward the subpoena, the envelope for the subpoena, and any copies/pictures of the subpoena receipt to your counsel.
- Make a plan with your counsel and the OSOS to either respond to or contest the subpoena.

E. Federal searches of voting centers/facilities

Federal officials or agents may also seek to access or search voting facilities, including county voting centers, where eligible voters may register in person, obtain a provisional ballot, or cast their vote in person, RCW 29A.40.160.

To execute a search without consent, federal agents are required to obtain a search warrant, supported by probable cause, and approved by a federal magistrate judge. Election workers must allow the search to proceed immediately if federal agents provide a judicial warrant (**Attachment C**) or other court order; a subpoena that directs materials be provided “forthwith."

If served with a warrant, ***immediately*** **contact your legal counsel** and send them a copy of the search warrant. Also notify the OSOS and the AGO.

Do not interfere with federal agents. Do not block access, attempt to delay the search while you call your counsel, hide files, shut down computers, or move documents.

These actions can be viewed as potential interference.

Ask agents if you can designate a staff member to:
- observe,
- document, and
- photograph or record (if possible)

what is occurring and what is being taken. This staff member should only observe, not interfere. The agents may deny the request. If so, you can ask the name of the agent who declined the request and make note of the request and denial.

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Tip! Taking an inventory of election-related materials now, along with regularly backing up files, will help you determine what materials are seized in the event of a search. This inventory can be very helpful in seeking the return of election-related materials that are improperly seized.

You are entitled to a copy of the search warrant. You are not legally required to allow federal agents or other officials to enter non-public areas of an election office or take election-related materials without a warrant signed by a federal judge. In all likelihood, you will not be provided a copy of any statement describing the probable cause that supports the warrant.

You may ask for the lead agent's name and for identity verification by showing official governmental ID.

Federal agents are only lawfully authorized to take what is listed on the warrant. Contact your counsel for any questions regarding the scope of the warrant or if you believe that federal agents are seizing materials that are not included in the warrant. Do not obstruct the agents.

Federal agents may ask for your consent to exceed the scope of the warrant. **You are not required to consent.** You can inform law enforcement agents that you will cooperate with the warrant but that you do not consent to any searches beyond the scope of the subpoena.

Tip! Counties can mitigate the risk of federal searches by being proactive in abiding by federal and state retention schedules for election-related materials and conducting periodic inventories of physical and electronic files.

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If agents appear to be seizing privileged material, such as communications between you and your counsel, you can politely inform them of this fact. You can ask the agents not to take the materials until your counsel has verified the material is not privileged. If agents decline your request, you can ask for the name of the agent who declined and take note of the declination.

Before agents leave, you can ask for an inventory of items seized and a copy of the search warrant (if you have not received it yet).

After agents leave, make a plan with your counsel on appropriate legal action (if any) and statements to the public. Be sure to contact the OSOS and the AGO, so the offices can consider taking legal action to seek the return of any improperly seized material.

My county's legal counsel:

_____

_____

_____

OSOS and AGO points of contact:

Office of the Secretary of State
elections.protection@sos.wa.gov

Washington State Office of the Attorney General
election.protection@atg.wa.gov

end

Federal officials in/around voting locations

As noted above, elections officials may encounter individuals who claim to be federal employees, officials, or law enforcement.

Regardless, federal laws prohibit interference with elections and voting — e.g., 18 U.S.C. § 245 (intimidation and threats by government official when voting), 18 U.S.C. § 242 (willful deprivation of civil rights), and 52 U.S.C. § 10307(a) (refusal to permit an eligible voter from voting).

If federal agents circle or enter voting centers, or surround ballot boxes, there may be immediate legal action you can take, including seeking a temporary restraining order against the action. Do not interfere or impede federal agents.

Immediately **notify the OSOS and the AGO** so that our offices are aware of the issue and can support you. We may also have an independent basis to take legal action to protect voters and our state's election systems.

Be prepared to document what is going on and its impact on voting, such as:
- photographs,
- videos,
- observers willing to provide declarations regarding the activity, and
- voters willing to sign declarations about the effect of creating fear and intimidation.

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County election officials should coordinate with their prosecuting attorneys to identify legal steps to respond to attempts to interfere with Washington's elections.

Topics to discuss include:

- The legal differences between judicially authorized warrants, grand jury subpoenas, administrative subpoenas, and other documents.
- How to challenge warrants and subpoenas and obtain the return of seized materials.
- Legal prohibitions on obstructing federal investigations.

end

Other federal actions

Public reports indicate that the federal administration has considered other actions that could affect election administration, such as declaring an emergency ban on the use of some voting machines and "nationalizing" elections.[1] The precise actions the federal administration may take are not currently clear. Some of the potential actions that have been discussed would be unprecedented, and county officials should be in close contact with their counsel, the OSOS, and the AGO, should any of these actions occur, however unlikely:

A. Seizing voting machines or sanctioning voting machine manufacturers under IEEPA

If the federal administration attempts to use emergency powers under the International Emergency Economic Powers Act (IEEPA) to manufacture an "emergency" related to elections and seize voting machines, the OSOS will work with the Attorney General's Office and legal team to determine our course of action. We will communicate our efforts and associated timelines with county election officials.

B. Executive Orders taking power away from state or local officials

Under the Constitution, the states have the right to supervise and oversee elections, not a single federal administration. There have been efforts over the past several years — such as through Executive Orders — to take away those rights, and in each instance, the AGO has taken swift legal action to protect Washington's election systems. The AGO will continue to closely coordinate with the OSOS to evaluate the legal, constitutional, and practical implications of any future Executive Order, and will provide prompt information to local election officials of any actions taken.

C. U.S. Postal Service operations

While the federal administration has no authority to unilaterally regulate elections, the administration does oversee the U.S. Postal Service (USPS). This may have an outsize impact on Washington state, which operates an elections process where voters receive and may return their ballots by mail. Thus, changes to USPS operations may negatively impact voters. This could include intentional interference, such as restricting USPS's ability to deliver or return ballots of certain voters. It also includes recent changes that create delays in applying postmarks to mail, including ballots returned by mail.

The OSOS and the AGO have worked collaboratively to file litigation and will continue to vigorously protect our state's vote-by-mail system.

To mitigate risk, counties can emphasize early ballot return and use of official ballot drop boxes, and encourage voters to utilize available ballot status tracking tools and election resources.

D. Deployment of military or other federal law enforcement

Federal laws bar the armed forces, including federalized National Guard, from participating in civilian law enforcement activities without express authorization from Congress. That is for good reason — states and local governments capably operate and oversee their own law enforcement operations. With regard to elections, federal law is explicit that federal armed forces and federal law enforcement should be kept out of polling places to protect voter freedom and prevent intimidation.

When acting under state authority, governors may deploy Guard members for general election security, such as protecting election infrastructure or responding to emergencies. But if federalized, the National Guard becomes subject to the same restrictions as members of the military.

The Insurrection Act, 10 U.S.C. §§ 251-255, does allow the president to deploy members of the federal armed forces and/or federalized National Guard personnel in extreme circumstances, such as to:

- Suppress insurrections or respond to civil unrest in a state at the request of the state governor.
- Suppress rebellions against the federal government.
- Assist with the execution of **federal law**, under certain narrow circumstances, when federal civilian authorities are overwhelmed and unable to do so on their own.

Using this authority to intimidate voters, or to influence certain election outcomes, would be unprecedented.

1 U.S. News & World Report, *Exclusive-Trump Official Tried to Ban Half of US Voting Machines, Citing Election Conspiracies*, **https://www.usnews.com/news/world/articles/2026-05-22/exclusive-trump-officials-tried-to-ban-half-of-u-s-voting-machines-citing-conspiracy-theories** (May 22, 2026); Votebeat.org, *What did Trump mean by 'nationalize the voting'? No one is sure.*, **https://www.votebeat.org/2026/02/09/donald-trump-dan-bongino-nationalize-take-over-voting-2026-election/** (Feb. 9 2026).

Governor's authority over the Washington National Guard

Under Washington law, the Governor serves as commander-in-chief of the Washington National Guard when it is not in federal service. The Governor exercises authority over the organized militia through the Adjutant General and the Washington Military Department. (RCW 38.08.020 and RCW 38.08.040)

Washington law authorizes the Governor to activate the Guard in response to a wide range of emergencies and public safety concerns, including:

- War, insurrection, rebellion, invasion, riot, or civil disorder.
- Imminent threats to life, property, or public order.
- Public disasters or emergencies.
- Failures or anticipated failures of civil authorities to maintain order.
- Other circumstances impacting public health, safety, or welfare.

The Governor may also activate the Guard to support preparedness, response, and recovery efforts related to such events.

In 2025, Governor Ferguson signed legislation restricting the deployment of out-of-state armed forces into Washington without the Governor's permission, except where otherwise required under federal law. The legislation was intended to reinforce state authority over military activities occurring within Washington.

Washington has previously utilized the National Guard in support roles related to election security and emergency response. Following the 2024 Clark County ballot drop box arson incident, then-Governor Inslee activated the Washington National Guard in temporary state active-duty status as a precaution to support state election security operations if needed.

Attachment A:

Administrative Subpoena (redacted)

1. To (Name, Address, City, State, Zip Code) Google - LERS Legal Department Custodian of Records 1600 Amphitheatre Parkway Mountain View, California 94043	DEPARTMENT OF HOMELAND SECURITY **IMMIGRATION ENFORCEMENT SUBPOENA** To Appear and/or Produce Records 8 U.S.C. § 1225(d), 8 C.F.R § 287.4
Summons Number: HSI-DC-2026-007280-001	
2. In Reference To (Title of Proceeding)	(File Number, if Applicable)

By the service of this summons upon you, **YOU ARE HEREBY SUMMONED AND REQUIRED TO:**

(A)	☐	**APPEAR** before the U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), or U.S. Citizenship and Immigration Services (USCIS) Official names in Block 3 at the place, date, and time specified, to testify and give information relating to the matter indicated in Block 2.
(B)	☒	**PRODUCE** the records (books, papers, or other documents) indicated in Block 4, to the CBP, ICE, or USCIS official named in Block 3 at the place, date, and time specified.

Your testimony and/or production of the indicated records is required in connection with an investigation or inquiry relating to the enforcement of U.S. immigration laws. Failure to comply with this subpoena may subject you to an order of contempt by a federal District Court, as provided by 8 U.S.C. § 1225(d)(4)(B).

3. (A) CBP Officer or ICE Special Agent			(B) Date and Time
Name Title Address	[redacted]	Telephone [redacted]	11/13/2025 8:00 AM

4. Records required to be produced for inspection

Please see attached continuation page.

If you have any questions regarding this subpoena, contact the CBP, ICE, or USCIS Official Identified in Block 3.

5. Authorized Official

[redacted]

(Signature)

[redacted]

(Printed Name)

Assistant Special Agent in Charge

(Title)

10/30/2025 2:37 PM EST

(Date)

continue ➔

1.	To (Name, Address, City, State, Zip Code) Google - LERS Legal Department Custodian of Records 1600 Amphitheatre Parkway Mountain View, California 94043	DEPARTMENT OF HOMELAND SECURITY **IMMIGRATION ENFORCEMENT SUBPOENA (Continuation)** To Appear and/or Produce Records 8 U.S.C. § 1225(d), 8 C.F.R § 287.4

Summons Number: HSI-DC-2026-007280-001

3. Records required to be produced for inspection (continued)

The following applies if checked.

☐	**Child Exploitation:** This subpoena is in regard to an investigation involving Child Exploitation and/or transmission of Child Pornography via the internet. Please do not disclose/notify the user of the issuance of this subpoena. Disclosure to the user could impede an investigation or obstruct justice.

Please provide the records requested below for the following email address: [redacted]@gmail.com from 09/01/2025 to the present.

1. Names (including subscriber names, user names, and screen names);

2. Addresses (including mailing addresses, residential addresses, business, addresses, e-mail addresses, alternate email addresses, and/or other, electronic communication method addresses);

3. Records of all available session times, dates, and duration, and the temporarily assigned network addresses (such as Internet Protocol ("IP") addresses) associated with those sessions;

4. Length of service (including start date) and types of services utilized;

5. Telephone, modem, or other instrument number(s) (including MAC addresses, Electronic Serial Numbers ("ESN"), Mobile Electronic Identity Numbers ("MEIN"), Mobile Equipment Identifier ("MEID"), Mobile Identification Numbers ("MIN"), Subscriber Identity Modules ("SIM"), Mobile Subscriber Integrated Services Digital Network Number ("MSISDN"), International Mobile Subscriber Identifiers ("IMSI"), or International Mobile Equipment Identities "IMEI")

6. Any subscriber number or identity, including, but not limited to:
a. registration Internet Protocol ("IP") addresses;
b. all temporarily assigned network IP addresses;
c. dates of birth;
d. social security numbers;
e. drivers' license numbers;
f. any other user identification numbers;
g. alternate user names, screen names, and email accounts;

7. Means and source of payment (including any credit card or bank account numbers)

Please provide all responsive records in electronic format, preferably native format.

Method of Response:

Preferred:

Return the requested records in an accessible data file format such as ".XLS", ".CSV", ".TXT", or ".PDF". The data file(s) should be delivered via e-mail to: Criminal Analyst Gina Nardi Gina.Nardi@ice.dhs.gov

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NOTE: The ICE e-mail system limits incoming messages containing file attachments to 10 MB. For larger files send the summons response in multiple e-mail messages.

Alternates:

[redacted]

You are requested not to disclose the existence of this summons for an indefinite period of time. Any such disclosure will impede the investigation and thereby interfere with the enforcement of federal law.

END OF DOCUMENT

end

Attachment B:
DOJ Grand Jury Subpoena (redacted)

U. S. Department of Justice

United States Attorney
Southern District of Mississippi

501 East Court Street
Suite 4.430
Federal Courthouse
Jackson, Mississippi 39201
(601) 965-4480

December 10, [redacted]

[redacted]

Re: Grand Jury Subpoena, Grand Jury No. [redacted]

Dear Sir/Madam:

The enclosed federal grand jury subpoena seeks certain records relating to an ongoing official criminal investigation by a federal agency, [redacted] Please do not disclose the existence or nature of the subpoena until you are notified by an agent of that agency or by this office that the investigation has been completed. Disclosure of the existence or nature of the subpoena could impede the ongoing investigation and interfere with the enforcement of the law. In addition, enclosed are a set of warnings setting forth civil and criminal penalties for certain disclosures of this subpoena.

Once you have assembled the records called for in the enclosed subpoena, you may deliver them to the grand jury. Should you desire to voluntarily surrender them to the grand jury prior to the grand jury date indicated on the subpoena, please send the documents, along with a signed Certificate of Authenticity (form attached), to:

[redacted]

The documents will be delivered to the grand jury, and no personal appearance by you will be necessary.

Enclosed is a Grand Jury subpoena on the above-styled investigation. Sign the subpoena and return it to me immediately. (If served by Agent, Agent will complete Proof of Service.)

continue ➔

For you and your customer's convenience, you may wish to make copies of all documents produced pursuant to this subpoena. However, please understand that the cost of such reproduction is not the responsibility of the government.

If I can be of further assistance, please contact me at (601)965-4480.

Sincerely,

J.E. BAXTER KRUGER
United States Attorney

By: [redacted]

Enclosures

continue ➔

AO 110 (Rev. 06/09) Subpoena to Testify Before a Grand Jury

Grand Jury [redacted]

UNITED STATES DISTRICT COURT

for the

Southern District of Mississippi

SUBPOENA TO TESTIFY BEFORE A GRAND JURY

To: [redacted]

YOU ARE COMMANDED to appear in this United States district court at the time, date, and place shown below to testify before the court's grand jury. When you arrive, you must remain at the court until the judge or a court officer allows you to leave.

Place:	Date and Time:
Thad Cochran United States Courthouse 501 East Court Street, Suite 3.700 Jackson, Mississippi 39201	[redacted]

You must also bring with you the following documents, electronically stored information, or objects *(blank if not applicable)*:

SEE ATTACHMENT

NOTE: In the alternative, you are commanded to deliver/mail the subpoenaed documents to the Assistant U.S. Attorney listed below, in which event you need not appear or bring the documents at the place, date, and time reflected herein.

DOCUMENTS ONLY - PRODUCE BY U.S. MAIL

Date: December 10[redacted]

CLERK OF COURT

Signature of Clerk or Deputy Clerk

The name, address, e-mail, and telephone number of the United States attorney, or assistant United States attorney, who requests this subpoena, are: [redacted]

continue ➔

PROOF OF SERVICE

X This subpoena for *(name of individual or organization)* _____
was received by me on *(date)* _____ .

☐ I served the subpoena by delivering a copy to the named person as follows: _____

_____ on *(date)* _____ ; or

☐ I returned the subpoena unexecuted because: _____

_____ .

I declare under penalty of perjury that this information is true.

Date: _____

_____
Server's signature

_____
Printed name and title

Server's address

Additional information regarding attempted service, etc:

continue ➔

ATTACHMENT TO SUBPOENA ISSUED TO:

[redacted]

PERIODS: January 1, 2020 – December 31, 2024

For the periods listed above, please provide all records pertaining to the following individuals and/or business entities, as well as any other entity in which these individuals or entities may have an ownership and/or financial interest:

[redacted]

RECORDS: The term "Records" is defined as books, papers, documents, data, or other objects. Such records may include but not be limited to:

[redacted]

end

Attachment C:
Judicial Warrant

EXHIBIT 1

(Rev. 4/30/2014) Search Warrant

United States District Court

Northern District of Georgia

In the Matter of the Search of:

The premises located at The Office of the Clerk of Court, 5600 Campbellton Fairburn Road, Fairburn, Georgia 30213.

SEARCH WARRANT

CASE NUMBER: **1:26-MC-0177**

UNDER SEAL

TO: Special Agent Hugh Raymond Evans and any Authorized Officer of the United States:

An affidavit having been made before me by Special Agent Hugh Raymond Evans, who has reason to believe that, on the property or premises known as

The premises located at The Office of the Clerk of Court, 5600 Campbellton Fairburn Road, Fairburn, Georgia 30213, as further described in **Attachment A.**

There is now concealed certain property, certain data, and certain information, namely,

See Attachment B

which constitutes evidence of the commission of a criminal offense and property which has been used as the means of committing a criminal offense, concerning violations of Title 52, United States Code, Sections 20701 and 20511, over which the United States District Court for the Northern District of Georgia has jurisdiction. I find that the affidavit establishes probable cause to search and seize the person or property from the person or premises described above.

YOU ARE HEREBY COMMANDED to execute this warrant on or before February 11, 2026
Date

(not to exceed 14 days) DURING THE DAYTIME ONLY. You must give a copy of the warrant and a receipt for the property taken to the person from whom, or from whose premises, the property was taken, or leave a copy of the warrant and receipt at the place where the property was taken. The officer executing the warrant, or an officer present during the execution of the warrant, must prepare an inventory as required by law and promptly return this warrant and inventory to United States Magistrate Judge Catherine M. Salinas.

January 28, 2026 at 2:31 p.m.
Date and Time

at Atlanta, Georgia
City and State

CATHERINE M. SALINAS
UNITED STATES MAGISTRATE JUDGE
Name and Title of Judicial Officer

Catherine Salinas
Signature of Judicial Officer
Issued pursuant to Federal Rule of Criminal Procedure 4.1.

Attorney for the Government Thomas Albus
(USAMOE)/314-539-2200 / Thomas.Albus@usdoj.gov

continue ➔

EXHIBIT 1

RETURN

Case No: 1:26-MC-0177	Date and time warrant executed:	Copy of warrant and inventory left with:
Inventory made in the presence of		
A list of property/information/data/person(s) seized:		

CERTIFICATION

I declare under penalty of perjury that this inventory is correct and was returned along with the original warrant to the designated judge.

Date

Executing officer's signature

Printed name and title

continue ➔

ATTACHMENT A

Property to Be Searched

The property to be searched is The Office of the Clerk of Court located at 5600 Campbellton Fairburn Road, Fairburn, Georgia 30213.

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ATTACHMENT B

Particular Things to be Seized

1. All records relating to violations of Title 52, United States Code, §§ 20701 and 20511 those violations occurring after October 12, 2020, including:

a. All physical ballots from the 2020 General Election in Fulton County; including, but not limited to: absentee ballots to include envelopes; advanced voting ballots, provisional ballots; in-person election day ballots; emergency ballots; damaged or destroyed ballots; duplicated ballots; or any other ballot that was used to cast a vote;

b. All tabulator tapes for every voting machine used in Fulton County; including, but not limited to; zero tapes, opening tapes, closing tapes and any other tabulator tape printed from a voting machine utilized during the 2020 General Election in Fulton County;

c. All ballot images produced during the original ballot count beginning on November 3, 2020, the recount, and any other ballot images that were created from ballot scanning from the 2020 General Election in Fulton County;

d. All voter rolls from the 2020 General Election in Fulton County from absentee, early voting, in person, and any other voter roll that indicates voters: to whom an absentee ballot was issued, from whom an absentee ballot was received, or who participated in advanced voting or election day voting;

This warrant authorizes a review of electronic storage media and electronically stored information seized or copied pursuant to this warrant in order to locate evidence, fruits, and instrumentalities described in this warrant. The review of this electronic data may be conducted by any government personnel assisting in the investigation, who may include, in addition to law enforcement officers

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and agents, attorneys for the government, attorney support staff, and technical experts. Pursuant to this warrant, the FBI may deliver a complete copy of the seized or copied electronic data to the custody and control of attorneys for the government and their support staff for their independent review.

end

If questions or a situation arises, contact:

Office of the Secretary of State
elections.protection@sos.wa.gov

Washington State Office of the Attorney General
election.protection@atg.wa.gov

Additional resource:

Brennan Center for Justice, Washington State Election Interference Law Handbook:
https://www.brennancenter.org/our-work/research-reports/washington-state-election-interference-law-handbook

Notes:

Intended for Washington state election officials and authorized election personnel only.