



March 27, 2025

Campaign Legal Center Testimony Before the
Assembly Legislative Operations and Elections
In Support of AB 105

Dear Chair Mosca, Vice-Chair Gonzáles, and the Members of the Assembly Legislative Operations and Elections Committee,

Campaign Legal Center (“CLC”) respectfully submits this testimony to the Committee in support of Assembly Bill 105, which provides significant and essential protections to voters and election workers by prohibiting firearms within 100 feet of election sites with reasonable exceptions. Our democracy works best when everyone can participate freely and safely. Allowing individuals to carry guns into polling places and central counting places or in the close vicinity of ballot drop boxes directly undermines that goal. Further, armed intimidation suppresses voter participation and compromises the safety of not just individuals, but of our democracy itself. We respectfully urge this committee to take action on AB 105.

Campaign Legal Center (CLC) is a non-partisan, non-profit organization that works to protect and strengthen the U.S. democratic process across all levels of government through litigation, policy analysis, and public education. Our work promotes every American’s right to participate in the democratic process. As such, CLC works to advance transparent, accessible, and responsible procedures for election processes in the states. AB 105 is critical to ensure that Nevada’s elections remain free, fair, and safe for years to come.

The right of a voter to cast a ballot free from intimidation is a foundational democratic principle. But the presence of firearms at a polling location or ballot drop box can pose a significant obstacle for citizens attempting to exercise their most fundamental constitutional right. As nearly 58% of American adults report that they or someone they care about has been impacted by gun violence, the presence of armed individuals can instill fear in voters that may deter them from voting at all.¹ This fear is not unfounded. As

¹ SurveyUSA Market Research Study #24554. Data collected from December 7, 2018 to December 10, 2018. Published December 11, 2018. <https://everytownsupportfund.org/documents/2021/03/results-of-surveyusa-mkt-research-study-24554.pdf/>. See question 39.

political scientist Robert Spitzer has written, “Analysts in fields including psychology and criminology have concluded that the mere presence of guns increases aggression and violence. To cite a different analysis, a study of over 30,000 demonstrations in the U.S. from 2020 to 2021 found that when guns were present, protests were over six times more likely to turn violent or destructive.”²

The United States also has a history of armed violence being deployed at polling places to disenfranchise immigrant voters³ and voters of color.⁴ Threats of violence are also not an abstract scenario for the election administrators and workers in the silver state. In 2020, Clark County poll workers counted ballots through the night as protestors, some of whom were armed, patrolled outside their location.⁵ Since 2020, eleven of Nevada's seventeen counties lost their clerk or registrar of voters,⁶ many due to the deluge of harassment and violent threats that they, their colleagues, and their families have borne the brunt of. In 2024, 98% of Nevadans had their elections “administered by someone who wasn’t on the job in 2020.”⁷

Firearms play a concerning role in an environment that has become fraught for many, and explicitly dangerous for some. Deanna Spikula, ex-registrar of voters for Washoe County, resigned in 2022 after receiving threatening phone calls and emails, including one that read “count the votes as if your life depends on it, because it does.”⁸ She noted in one interview “you just feel like you’re fighting for your life.”⁹ In 2021, the Washoe County office recounted an incident where a man “entered the election office, pointed his cane at workers like a gun and said ‘bang’ repeatedly.”¹⁰

² Spitzer, Robert. “Guns at voting sites have long sparked fears of intimidation and violence – yet few states ban their presence.” *The Conversation*, 2 Nov. 2022, <https://theconversation.com/guns-at-voting-sites-have-long-sparked-fears-of-intimidation-and-violence-yet-few-states-ban-their-presence-193209>.

³ The anti-immigrant Know Nothing Party was described as, “leading a gang that terrorized voters at polling places in such a violent fashion that one victim was later reported to have a bite on his arm and a severe eye injury.” Boissoneault, Lorraine. “How the 19th-Century Know Nothing Party Reshaped American Politics.” *Smithsonian Magazine*, 26. Jan 2017, <https://www.smithsonianmag.com/history/immigrants-conspiracies-and-secret-society-launched-american-nativism-180961915/>.

⁴ “Almost immediately following Reconstruction, blacks attempting to vote were met with coordinated intimidation and violence.” *Northwest Austin Municipal Utility District No. 1 v. Holder*, 557 U.S. 193, 8 (2009) (Thomas, J. concurring).

⁵ Stern, Gabe. “Outgoing elections head in key Nevada county details threats.” *Associated Press News*, 6 Dec. 2022, <https://apnews.com/article/business-las-vegas-nevada-7ed28eb920b9ae0e301d9ec9d5b7a947>.

⁶ Golonka, Sean. “Nevada’s election worker turnover second highest among Western states, report finds.” *The Nevada Independent*, 26 Sept. 2023, <https://thenevadaindependent.com/article/nevadas-election-worker-turnover-second-highest-among-western-states-report-finds>.

⁷ *Id.*

⁸ Robison, Mark. “Election threats and stress: Washoe County Registrar of Voters Deanna Spikula looks back.” *Reno Gazette Journal*, 31 Jul. 2022, <https://www.rgj.com/story/news/2022/07/31/election-threats-stress-washoe-county-nevada-registrar-voters-deanna-spikula-looks-back-resigns/10179317002/>.

⁹ So, Linda, Joseph Tanfani and Jason Szep. “Pro-Trump conspiracy theorists hound election officials out of office.” *Reuters*, 19 Oct. 2022, <https://www.reuters.com/investigates/special-report/usa-election-nevada-washoe/>.

¹⁰ *Id.*

Election administrators and poll workers continue to be at the receiving end of harassing messages and conduct that is pulling their attention away from their already demanding roles. Dedicated election officials are a necessity for free, fair, and secure elections and, like voters, deserve for polling places and counting boards to be free of the threat of gun violence. In a nation where one in three election officials nationwide knew another person who left their election administration role due in part to threats or harassment, and where one in six officials have been threatened themselves, we can, and must, do better.¹¹

While laws protecting election officials, including the one passed in Nevada, helped to stymie escalating violence in the November 2024 election, the election unfortunately did not pass without incident. In addition to widespread bomb threats across numerous battleground states,¹² voters at suburban Detroit polling places were followed, video-taped, and harassed,¹³ a Texas man punched a poll worker for telling him to remove an item of clothing prohibited at his polling place,¹⁴ and a teenager in Florida was arrested for wielding a machete at voters.¹⁵ This is only a small sampling of the nationwide incidents where voters or election workers faced a serious threat or incitement of violence. It is the unfortunate reality that the addition of a firearm could have made any of these situations more lethal.

Courts have long recognized that guns have no place at election sites. More than a century ago, a Georgia court described the practice of carrying arms at elections as, “a thing so improper in itself, so shocking to all sense of propriety, so wholly useless and full of even, that it would be strange if the framers of the constitution have used words broad enough to give it a constitutional guarantee.”¹⁶ In a recent landmark U.S. Supreme Court case, the court explicitly named polling places in its examples of “sensitive places” where the right to bear arms could be prohibited.¹⁷ This jurisprudence makes clear that places where ballots are submitted, cast, and counted are critical components of the democratic process that deserve protection from potential armed conflict.

Campaign Legal Center supports AB 354 because both voters and election officials deserve to vote and work in an environment without the fear of violence. Nevada should follow the

¹¹ Cassidy, Christina. “Facing harassment and death threats, some election workers weigh whether to stay.” *PBS News Hour*, 8 Jul. 2022, <https://www.pbs.org/newshour/politics/facing-harassment-and-death-threats-some-election-workers-weigh-whether-to-stay>.

¹² Lo Wang, Hansi; Swasey, Benjamin and Parks, Miles. “Bomb threats disrupted what was otherwise relatively smooth voting on Election Day.” *NPR*, 6 Nov. 2024, <https://www.npr.org/2024/11/06/nx-s1-5181834/election-day-voting-bomb-threats>

¹³ Miller, Matthew. “ACLU sues over alleged harassment at Michigan polling places.” *MLive*, 6 Nov. 2024, <https://www.mlive.com/politics/2024/11/aclu-sues-over-alleged-harassment-at-michigan-polling-places.html>

¹⁴ Leffingwell, Kelsey. “Texas man punched an election worker who told him to remove Trump hat at voting site, police say.” *Spectrum News1*, 26 Oct. 2024, <https://spectrumlocalnews.com/tx/south-texas-el-paso/news/2024/10/25/texas-election-worker-assaulted-by-voter>

¹⁵ Reinstein, Julia. “Florida teen with machete arrested for voter intimidation at polling place.” *ABC News*, 30 Oct. 2024, <https://abcnews.go.com/US/florida-teen-machete-arrested-voter-intimidation-polling-place/story?id=115310490>.

¹⁶ *Hill v. State*, 53 Ga. 472, 475 (1874).

¹⁷ *New York State Rifle & Pistol Assn, Inc. v. Bruen*, 142 S. Ct. 2111, 2133 (2022).



lead of 18 other states and Washington, D.C. to expressly prohibit firearms at election sites.¹⁸ Thank you for your time.

¹⁸ While 18 states and Washington, D.C. prohibit firearms at election sites, an additional 7 have some form of limitations on guns at polling places. This includes states with historically permissive gun regulations like Texas, South Carolina, Georgia, Florida, and Louisiana. Movement Advancement Project. “Bans on Guns in Polling Places.” https://www.mapresearch.org/democracy-maps/guns_in_polling_places. Accessed March 24, 2025.