

## **Comeback Request: R-1 Security Services for the Department of State**

### **JBC Action**

At the Department's February 14, 2022 Figure Setting Hearing, the committee tabled the Department's R-1 Security Services for the Department of State request until a later, unspecified date. In a March 9, 2022 memo to JBC members<sup>1</sup>, the Department of State's (CDOS or Department) JBC Analyst, Abby Magnus, recommended denying the request as is and instead recommended only \$32,400<sup>2</sup> in additional spending authority from the Department of State Cash Fund<sup>3</sup> (CDOS Cash Fund) to be used on contract physical security services to supplement Colorado State Patrol (CSP), assuming SB 22-133 is enacted.

### **Department of State Comeback**

Elections systems and the state, county, and municipal workers who administer elections are the foundation of our democracy. Attacks against these persons or systems could have devastating effects on the ability to administer elections and, as such, the stability of our society. Threat review is a well-recognized, long-accepted, highly-recommended, cost-effective means of mitigating risks and safeguarding these systems and individuals. CDOS staff have detailed, elections-specific knowledge and are best-positioned to oversee the work of reviewing for threats to elections infrastructure. The Department respects the authority and expertise of the Colorado Information Analysis Center (CIAC) staff, but the threat research CIAC performs, as least so far as elections systems and election workers is concerned, is simply inadequate in the face of increasing threats to our elections. It may be uncomfortable and dismaying for many of us to contemplate, but the reality is that threats to elections systems and workers have increased exponentially following the 2020 General Election, and the Department as well as the Federal Government anticipate they will intensify in the months leading up to the 2022 General Election. The lights are flashing red. The threat picture is clear. We must take steps to mitigate risks to election officials, workers, facilities, and systems.

In a March 3rd memo to the JBC, the Department of Public Safety (CDPS) reported that two analysts in the infrastructure protection unit and one cyber analyst review threats aimed at the Secretary of State or Colorado election officials, in addition to their other assigned duties. Crucially, those analysts are also charged with review and assessment of the threat environment for all other statewide elected officials as well as the General Assembly. CDPS did not report how much time its analysts have actually spent on analysis of threats that CDOS has provided to CIAC, nor did CDPS report on how much time its analysts spend actually looking for threats as opposed to analyzing threats CDOS has been providing. Indeed, the absence of such information suggests CDPS's analysts are not independently searching for threat content other than when prompted to do so by the threat reports provided by CDOS.

This primarily reactive posture is not commensurate with the threat environment and level of threat review required to protect elections systems and staff. Consider that to date there has not been a single instance where the CIAC has independently identified and notified the Department about a threat to the Department of State, be it for a threat to department leadership or a threat to the integrity or security of our elections systems. Instead, it is CDOS that has identified hundreds of instances of threatening, bullying, harassing, inciting, or

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<sup>1</sup> At the time of submission of this Comeback Request, our JBC Analyst has not had an opportunity to present her recommendation before the committee.

<sup>2</sup> This amount is split with \$28,400 in the Administration Division Personal Services appropriation for security services and \$4,000 in the Administration Division Operating Expenses appropriation for reimbursable expenses (e.g., mileage and other travel costs) associated with the physical security services.

<sup>3</sup> §24-21-104(3)(b)

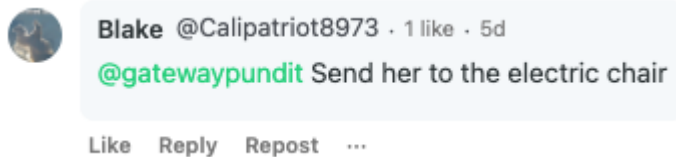
intimidating behavior, and it is CDOS that has provided details on these instances to CIAC, the FBI, and US Attorney.

In CDPS's report, the CIAC asserts that all threats they have reviewed have been determined to be protected speech under the First Amendment. At the same time, the Department has been made aware that the federal Department of Justice is currently investigating threats made to CDOS leadership. Moreover, the lens being applied by CIAC – whether content expressing threatening views or plans constitutes a prosecutable crime under the First Amendment overlay on top of Colorado's current criminal "credible threat" statute<sup>4</sup> – is far too narrow.

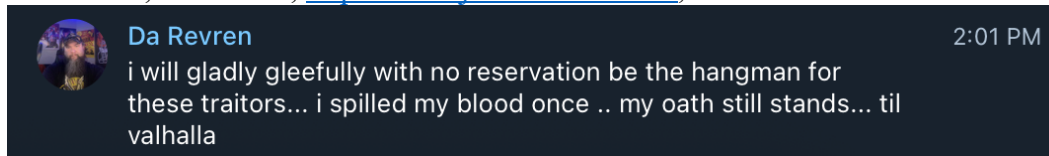
CDOS needs to know what public threats are being made since, per the FBI, Department of Homeland Security, and the National Counterterrorism Center, this is an indication individuals are becoming radicalized and may turn to violence. Further, CDOS needs to be aware of attempts to undermine elections, even if those actions are protected by the First Amendment. The idea that the Department will only be alerted to threats once they are prosecutable or actionable based on the standard CIAC has been applying will leave CDOS undefended and uninformed, in an unacceptably vulnerable position as we move toward the high-profile elections in 2022. Put another way, failure to effectively track and assess the threat environment will significantly increase the likelihood that attacks will be conducted against election officials, workers, facilities, or systems. And, such a failure will put future elections in jeopardy.

To provide just a few recent examples of threats detected by CDOS, but which CIAC apparently concluded were not worthy of notifying the Department, the following items were located by CDOS's current threat review efforts:

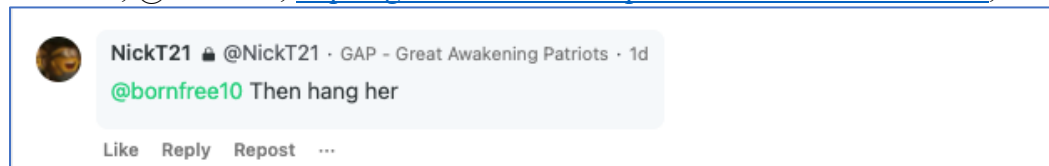
1. Blake, @Calipatriot8973, <https://gab.com/gatewaypundit/posts/107724626095734747>, 2/2/2022,



2. Da Revren, DaRevren, <https://t.me/joeoltmann/2937>, 2/14/2022 –



3. NickT21, @NickT21, <https://gab.com/NickT21/posts/107809407534666905>, 2/16/2022



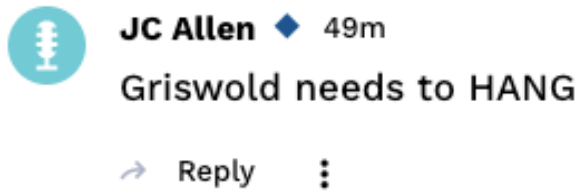
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<sup>4</sup> §18-8-615(1.5)(b)(I).

4. Patriot, [GofuckYourself@gmail.com](mailto:GofuckYourself@gmail.com), (email received through SoS website, 2/18/2022),

**Name:** Patriot  
**Email:** [GofuckYourself@gmail.com](mailto:GofuckYourself@gmail.com)  
**Phone:**  
**Suggestion:** Put a bullet in Griswold and send that cunt back to Hungary with her boyfriend Soros! Lol Lol Lol Lol

5. JC Allen, <https://www.thegatewaypundit.com/2022/03/colorado-hero-tina-peters-releases-report-claiming-dominion-voting-machines-used-2020-election-illegally-certified-illegally-configured/>, 3/7/2022,



In addition to the foregoing specific, concrete, identifiable threats of heinous violence, the Department's threat reviews also uncovered calls on dark-web social media platforms to have election-denier, conspiracy-theory devotees apply for jobs within CDOS's IT and Elections Divisions. CIAC did not notify the Department as to those postings. Also missed by CIAC were social-media postings calling for like-minded election deniers to sign up for a college seminar being taught by the Department's Elections Director at the University of Denver so that attendees could harass the Director during his lecture. Also missed by CIAC were social media postings calling for others to infiltrate community events at which the Secretary was a featured speaker. The fundamental flaw in the view that CIAC is an adequate replacement for the threat review efforts conducted by the Department is that CIAC's focus as a police agency on content that supports probable cause for an arrest will result in the Department being unprepared to meet the threats to democracy that are active, ongoing, and escalating.

The Department respectfully requests that the JBC approve its request for \$120,000<sup>5</sup> in additional spending authority from the CDOS Cash Fund to provide for threat review services in FY 2022-23. Based upon recent information from vendors, the Department expects that its actual costs for these services will increase from what was requested in November, however, it is actively pursuing alternative funding sources to meet this gap. To be clear, the \$120,000 is in addition to the \$32,400 for physical security services recommended by Ms. Magnus in her March 9<sup>th</sup> memo to the committee. The Department notes that if SB 22-133, which provides for CSP protection for the Secretary of State and other constitutional officers, is not enacted into law in a manner similar to its current form, it will require additional spending authority for physical security services in FY 2022-23.

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<sup>5</sup> In the Administration Division Personal Services appropriation.

# CDOS COMEBACK REQUEST

R-I Security Services for the Department of State

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Christopher P. Beall  
Deputy Secretary of State

# COMEBACK REQUEST

- \$32,400 in spending authority from CDOS cash fund for personal security
  - Coordinate with CSP, under SB 22-133
- \$120,000 in spending authority from CDOS cash fund for threat identification/review
  - Professional analysis that is granular, finely tuned to threats against the elections infrastructure
  - Provides advance warning of emerging risk

## CURRENT THREAT REVIEW

- CDOS currently watches for concerning communications expressing violent, intimidating, or harassing intent against the Department, its staff, and Colorado's election system.
- CDOS uses keyword alerts, rather than monitoring a particular individual's social media account.
- CDOS's review has uncovered hundreds of threatening, intimidating, and harassing content posted on social media.
- Only CDOS has needed expertise to locate/identify language or plans that implicate elections systems, elections issues, and elections threats.

## RELIANCE ON CIAC WOULD LEAVE CDOS UNAWARE OF THREATS TO PERSONNEL AND ELECTION

- CIAC has to date not notified CDOS of any threat against the Department, the Secretary, or the election system.
- CIAC's standard for investigating a threat is insufficient to alert the Department or the Secretary as to the need to take protective measures.
  - CIAC's focus is for prosecutable "credible threats," as defined by § 18-8-615(1.5)(b)(I).
  - CIAC's focus fails to account for protected speech that nevertheless signals an intent to undermine elections.
- CIAC's lack of notification to CDOS has forced the Department to rely on external, private professionals.

# EXAMPLES OF THREATENING COMMUNICATIONS

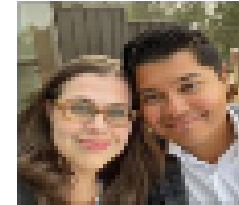
All of the following items were located by CDOS, not CIAC



## THREAT THAT CIAC DID NOT PROVIDE TO CDOS



d\_h\_mazer commented: Your security detail is far too thin and incompetent to protect you. This world is unpredictable these days....anything can happen to anyone. 🙄 19h



♡ Reply

# THREAT THAT CIAC DID NOT PROVIDE TO CDOS

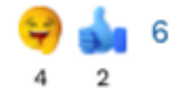


**JimBob from SC** » 24m

Total replies (15) | ▾

Mesa County? That's where Tina Peters refused to follow security protocols and released images of hard drives onto sites such as Mike Lindell's. It sounds like Jena Griswold did a great job of uncovering potential fraud committed by far right wingers. She should get a medal, if anything.

→ Reply ⋮



→ **Carson Randolph** ♦ 12m

hopefully the right wingers will shoot all the left wingers...

→ Reply ⋮



→ **KissMyScaleyBass** ♦ 18m

Exactly. She SHOULD receive a metal, to the left front temporal lobe.

→ Reply ⋮

# THREAT THAT CIAC DID NOT PROVIDE TO CDOS



LouNichol  @PatriotNIK · 2 likes · 1 quote · 5d  
[@gatewaypundit](#) firing squad , no jail time.


Like Reply Repost ...



Skyguy @skyguy · 5d  
[@PatriotNIK](#) [@gatewaypundit](#) Ammo is expensive. A rope should do. Can be reused many times. ;)

Like Reply Repost ...



LouNichol  @PatriotNIK · 1 like · 5d  
[@skyguy](#) [@gatewaypundit](#) can we get the rope to go bang at the end Lol

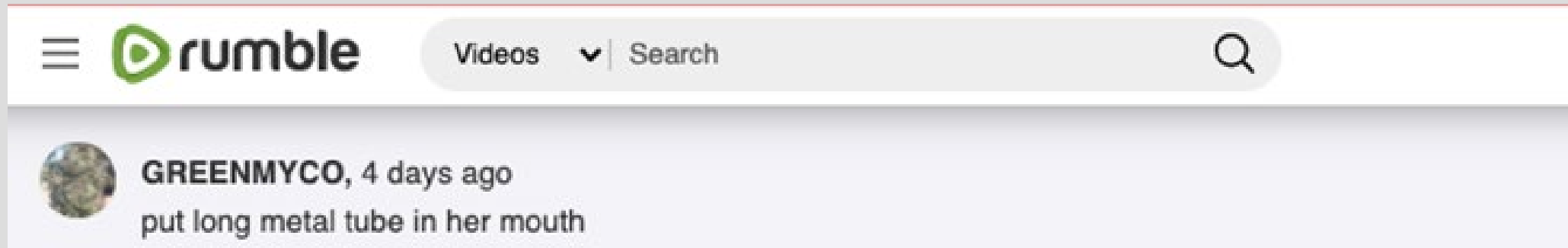
Like Reply Repost ...



Skyguy @skyguy · 5d  
[@PatriotNIK](#) [@gatewaypundit](#) Lol. Well I don't care if it makes "bang" as long as the result is the same and it's cheaper than expensive ammo. 😊

Like Reply Repost ...

# THREAT THAT CIAC DID NOT PROVIDE TO CDOS



The screenshot shows the Rumble website interface. At the top left is the Rumble logo, which consists of a green play button icon followed by the word "rumble" in a bold, black, sans-serif font. To the right of the logo is a navigation menu with the word "Videos" and a downward-pointing chevron icon. Further right is a search bar with the word "Search" and a magnifying glass icon. Below the navigation bar is a video player area. On the left side of the video player is a circular profile picture of a person. To the right of the profile picture is the video title: "GREENMYCO, 4 days ago" in bold black text, followed by "put long metal tube in her mouth" in a regular black font.

Dec. 3, 2021 - <https://rumble.com/vq4kkm-slow-motion-jan.-6-happening-now-colorado-sec.-of-state.html>.

# THREAT THAT CIAC DID NOT PROVIDE TO CDOS



**Chinkhater** @Chinkhater · Joe Biden Is Not My President · 2 likes · Dec 22, 2021

[@ILoveAmericaNews](#) Just start killing them all

Like Reply Repost ...

Dec. 21, 2021 - <https://gab.com/redvoicemedia/posts/107488121753035748> <https://gab.com/ILoveAmericaNews/posts/107490713196116096>.

# BYRNE JAG GRANT APPLICATIONS

- Tentative approval for emergency funding from unspent FY2021-22 grants:
  - \$160,000, for May 1, 2022 to Sept. 30, 2022
- Pending application for FY2022-23 grant:
  - \$396,000, for Oct. 1, 2022 to Sept. 30, 2023

THANK YOU  
FOR YOUR CONSIDERATION