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**STATE OF MARYLAND**  
**OFFICE OF THE ATTORNEY GENERAL**

**ANTHONY G. BROWN**  
*Attorney General*

October 31, 2024

**VIA CERTIFIED MAIL AND ELECTRONIC DELIVERY**

Tom Lopach, President and CEO  
Center for Voter Information  
Voter Participation Center  
1707 L Street NW  
Suite 700  
Washington, DC 20036

Gail Kitch, Board Chair  
Center for Voter Information  
1707 L Street NW  
Suite 700  
Washington, DC 20036

Denise Juneau, Board Chair  
Voter Participation Center  
1707 L Street NW  
Suite 700  
Washington, DC 20036

**RE: CEASE AND DESIST – MASS MAILING AND TEXTING TO  
REGISTERED MARYLAND VOTERS THREATENING TO EXPOSE  
THEM IF THEY DO NOT VOTE**

Mr. Lopach, Ms. Kitch and Ms. Juneau:

The Attorney General of Maryland has received information concerning letters and texts sent by Center for Voter Information/Voter Participation Center (CVI/VPC) to Maryland voters that threaten to publicly expose those voters who do not vote. This conduct is in violation of MD.

CODE ANN., ELECTION LAW, 16-201(b)(6) as is discussed more fully below. You are instructed to immediately CEASE AND DESIST from any additional mailings to Marylanders that contain this or any other threat. You are further instructed to CEASE AND DESIST from any communication to Marylanders upon “reviewing [voting] records after the election to determine whether or not [a registered Maryland Voter] joined [their] neighbors in voting” or to “shar[e] a report after the election of those who didn’t vote.” Finally, the Office of Attorney General seeks your cooperation in agreeing to a binding and enforceable agreement memorializing these commitments.

The reasons for these instructions are set forth more fully below.

*I. Marylanders are Intimidated and Threatened by CVI/VPC’s VOTER REPORT CARD.*

Beginning on and around October 30, 2024, the Office of Attorney General and the Maryland State Board of Elections began receiving complaints about a mass mailing from CVI/VPC’s titled “Voter Report Card.” The recipients to whom our office have spoken have uniformly described feeling intimidated, threatened, shocked, and ill-at-ease by this mailing.<sup>1</sup> Public reports from news and social media reflect these same feelings as have been expressed directly to our office. Significantly, your communication to “review these records after the election to determine whether or not you joined your neighbors in voting,” is intimidating registered voters who are concerned about the repercussions for voting, or for not voting. One Marylander we spoke with openly questioned whether he would be participating in the democratic process in the future. Another described increased feelings of paranoia about speaking about elections. Another likened the Voter Report Card to incidents in 2012, when robo-calls went out to thousands of Maryland households to suppress the vote of African American Marylanders. Marylanders are now more concerned about their privacy, security, and participation in the democratic process because they have received CVI/VPC’s “Voter Report Card.”

*II. Influencing and Attempting to Influence the Choice to Vote and Method of Voting by Threats and Intimidation is Unlawful under Maryland and Federal Law*

*a. Maryland Law Prohibits CVI/VPC’s Conduct*

In Maryland, it is a criminal misdemeanor to: “willfully and knowingly... (6) influence or attempt to influence a voter’s decision through use of force, fraud, threat, menace, intimidation, bribery, reward, or offer of reward, whether to i) go to the polls to cast a vote; or ii) vote by any other means.” MD. CODE ANN., ELECTION LAW, 16-201(b)(6). Importantly, Maryland’s law does

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<sup>1</sup> Notably, the recipients all reported receiving the mailing on October 29, 2024 and immediately thereafter contacted the Maryland Office of Attorney General complaining of an effort to suppress and harass voters. We are also aware of text messages sent to voters in other states that include: “We’ll be sharing a report after the election of those who didn’t vote.” If messages with this language are sent to Maryland voters it is a violation of Maryland’s Election Law.

not only prohibit behavior aimed at suppressing the franchise, but also restricts inappropriate attempts to compel voting behavior.

A reasonable person would foresee that CVI/VPC's stated intent to "promote election participation" by "review[ing]...records after the election to determine whether or not you joined your neighbor," was made for the purpose of influencing<sup>2</sup> registered Maryland voters to "go to the polls to cast a vote; or votes by any other means." CVI/VPC's attempted influence constitutes intimidation and threat because it appeals to publicly shaming and humiliating a voter by citing the voter's specific voting records and the voting records of their neighbors. While CVI/VPC states it has "hidden the street number and name of neighbors," this statement is accompanied by a footnote stating "This data comes from publicly available state voter files." The implication of the letter, and as was expressly stated in text messages, if Maryland voters do not "go to the polls to cast a vote; or vote by any other means" CVI/VPC will obtain this fact from public records and proceed to disclose and distribute it to a voter's neighbor or others in a similar manner as the Voter Report Card. CVI/VPC's blunt recourse to social coercion subjects a registered voter to unlawful forms of pressure for the purpose of "promot[ing] election participation."

Consequently, CVI/VPC has violated Maryland law, and will violate the law if it continues the behavior outlined in its mass mailing entitled "Voter Report Card."

*b. The Voting Rights Act Prohibits CVI/VPC's Conduct*

CVI/VPC has also violated the Voting Rights Act of 1965. The Voting Rights Act provides that "no person...shall intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person for voting." 52 U.S.C. § 10101(b) For the same reasons set forth in II.A, CVI/VPC's Voter Report Card constitutes attempts to intimidate, threaten, and coerce Maryland voters into participating in the election. CVI/VPC relies on their voting history to do so. Targeting voters with acts of intimidation and threats because they have voted is precisely the type of conduct prohibited by the Voting Rights Act.

*III. CVI/VPC Must Cease and Desist Its Conduct and Enter Into an Enforceable and Binding Agreement to Avoid Litigation*

In addition to criminal penalties associated with these actions, the Attorney General is authorized to seek relief from Maryland courts to enjoin any ongoing violations or imminent violations of the law. MD CODE ANN., ELECTION LAW, 16-1004(b)(2)

Nonetheless, to resolve this matter without costly litigation and other penalties, the Office of Attorney General is prepared to enter into a mutually agreeable and enforceable agreement that would memorialize the instructions set forth in this letter to ensure that Marylanders are free from the type of intimidation and threats presented by CVI/VPC's VOTER REPORT CARD.

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<sup>2</sup> "Influence" includes the use of "pressure, deception, trickery

Cease and Desist  
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I request a response affirming CVI/VPC compliance with the instructions of this letter and agreement to enter into a binding agreement no later than November 1, 2024, at 5:00 PM. If no response is received by then, I will assume that CVI/VPC has no interest in resolving this matter and Office of the Attorney General will pursue all available remedies available to it under the law to ensure Marylanders are free from the type of voter intimidation that CVI/VPC has engaged in.

Sincerely,

A handwritten signature in black ink, appearing to read "AG Brown". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Anthony G. Brown