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4 SELECT COMMITTEE TO INVESTIGATE THE
5 JANUARY 6TH ATTACK ON THE U.S. CAPITOL,
6 U.S. HOUSE OF REPRESENTATIVES,
7 WASHINGTON, D.C.

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11 INTERVIEW OF: JOCELYN BENSON

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Thursday, June 2, 2022

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Washington, D.C.

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The deposition in the above matter was held via Webex, commencing at 10:10

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a.m.

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2 Appearances:

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5 For the SELECT COMMITTEE TO INVESTIGATE

6 THE JANUARY 6TH ATTACK ON THE U.S. CAPITOL:

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8 [REDACTED], STAFF ASSOCIATE

9 [REDACTED], SENIOR INVESTIGATIVE COUNSEL

10 [REDACTED], INVESTIGATIVE COUNSEL

11 [REDACTED], CHIEF CLERK

12

13 For MICHIGAN DEPARTMENT OF STATE:

14

15 MIKE BRADY, CHIEF LEGAL DIRECTOR

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2 [REDACTED] It is 10:10 a.m. eastern time on June 2nd, and this is a transcribed
3 interview of Secretary Jocelyn Benson by the House Select Committee to Investigate the
4 January 6th Attack on the United States Capitol, pursuant to House Resolution 503.

5 Secretary Benson, please introduce yourself by stating your name and spelling
6 your last name.

7 Secretary Benson. My name is Jocelyn Benson, J-o-c-e-l-y-n, B-e-n-s-o-n. And I
8 am the secretary of state of the State of Michigan.

9 [REDACTED]. Thank you and good morning.

10 And, Mr. Brady, can you please identify yourself and your role?

11 Mr. Brady. Yes, Michael Brady, chief legal director for Michigan Secretary of
12 State Jocelyn Benson and the Michigan Department of State.

13 [REDACTED]. And Brady is B-r-a-d-y?

14 Mr. Brady. That is correct.

15 [REDACTED]. Great. Thank you. And good morning to you too, Mr. Brady.

16 So my name is [REDACTED]. I am a senior investigative counsel for the select
17 committee. And with me today is [REDACTED], investigative counsel for the committee.
18 It is possible that members of select committee join us, and they will probably do so by
19 the Webex platform. And, if they do, I will let you so that you are aware of their
20 presence. And, if they have any questions, I will turn the floor over to them as well.
21 But this will primarily be a staff-led interview, and it is going to be conducted through
22 both me and [REDACTED].

23 Because this is a transcribed interview, there is an official reporter who you will
24 see in the Webex platform, and they are taking the official record down. It is also being
25 recorded by the platform as well.

1 Just as general basics for that, please wait until my question is completed before
2 you begin your response. And we will try to wait until your response is completed
3 before we ask our next question. And I think that will make the reporter's life a bit
4 easier. And also, as a reminder, the reporters cannot take down nonverbal responses,
5 like shaking your head, so we do ask that you just provide complete audible responses.

6 Understanding that some of these events took place a while ago and that you may
7 not recall everything, and if that is the case, please just say so. We ask that you provide
8 answers based on your best recollection. And then, also, if any question I ask you is not
9 clear, please ask me to rephrase it, and I will be happy to do so.

10 And, just as a reminder, this is something that we do tell everybody as part of the
11 congressional investigation process, but this is not under oath, but it is still unlawful to
12 deliberately provide false information to Congress.

13 Do you understand everything we have just gone over, Ms. Benson?

14 Secretary Benson. I do.

15 [REDACTED]. Very good. And just, finally, as a matter of kind of procedure, let
16 us know if you need any breaks either for comfort or to speak with Mr. Brady for any
17 reason. We will be happy to go off the record and accommodate that.

18 Secretary Benson. Got it. Thank you.

19 EXAMINATION

20 BY [REDACTED]:

21 Q So, just generally, can you please tell us your position with the Michigan
22 government?

23 A I am the State's chief election officer, elected in 2018 to begin serving in
24 January -- as of January 1, 2019. And, in my capacity as Michigan's secretary of state, I
25 am the second highest ranking -- first -- third highest ranking constitutional officer in the

1 State of Michigan, behind the Governor and the Lieutenant Governor. So, in that
2 capacity, I also serve in various other ways, including overseeing the Department of
3 Motor Vehicles, but I think the relevance for today's discussion, I serve as of the State's
4 chief officer of elections.

5 Q And, as the State's chief officer of elections, what are your primary roles and
6 responsibilities?

7 A I oversee campaign finance reports for those running for statewide or
8 State-based offices and also oversee and provide support for our 83 county clerks and
9 over 1,500 local clerks who -- one second, sorry.

10 Q That is all right.

11 A -- who collectively at the local level, those clerks oversee our -- the
12 operations of elections. So we operate in support of those individuals and who
13 operationalize elections at the local level, offering legal guidance, offering educational
14 materials and various other things to ensure that they have what they need in
15 partnership with us to administer elections at the statewide and local level.

16 Q And you have these roles and responsibilities that you just went over as chief
17 elections person in the State of Michigan for the November 2020 Presidential election.
18 Is that right?

19 A Correct.

20 Q So, before you became secretary of state, I noted that you wrote a book
21 about secretaries of state as guardians of the democratic process. Can you just tell us a
22 little bit about why you wrote that?

23 A In 2008, I began researching a book about and the development of a book
24 called "Secretaries of States: Guardians of the Democratic Process." And the purpose
25 of that book was to do two things: one, highlight the ways in which these executive

1 offices, when they oversee elections as they do in Michigan, can be a path towards
2 protecting democracy; and then, secondly, well, do so by highlighting best practices of
3 secretaries and stories of secretaries on both sides of the aisle, and to also communicate
4 to voters/readers that they have an important role to play in electing secretaries of state
5 and holding them accountable.

6 In writing the book, I sought to very clearly demonstrate that overseeing elections
7 and guarding democracy is not a partisan issue and highlighting secretaries of state from
8 both sides of the aisle, from Beth Chapman, who was the secretary of state of Alabama at
9 the time; Karen Handel, who was the secretary of state in Georgia at the time; to Mark
10 Ritchie, who was the secretary in Minnesota at the time, that, regardless of what side of
11 aisle one sits on or party they affiliate with, that there are ways in which in a nonpartisan
12 capacity secretaries of state can effectively and have effectively made democracy work
13 better for the citizens in their State. And, in doing so, in writing that, it was the first ever
14 best practices collection of actions of secretaries of state who were operating in elected
15 and during the 2008 election into 2009 and found -- and highlighted and broke down
16 various different case studies of ways in which secretaries had up to that point utilized
17 that office proactively to develop innovative ways to increase access to the vote and
18 protect the security of the process and also ensure that the campaign finance side of the
19 office is affiliated with the secretary of state also operates in a way that promotes
20 transparency and helps voters stay engaged and informed.

21 Q And did your research in those case studies that you wrote about inform you
22 as you go through your duties and responsibilities as secretary of state in Michigan?

23 A Yes. It was a -- in talking with secretaries of state all around the country
24 from Todd Rokita, in Indiana, who was serving at the time, to Trey Grayson, who was my
25 first interview at the NASS conference in Grand Rapids Michigan in I think 2008 or

1 maybe -- yeah, 2008, I saw that if you are able to put your party affiliation aside, as the
2 best secretaries of state and most effective secretaries of state do and have done, you
3 can accomplish a great deal for all citizens in a democracy. And it was inspiring to see
4 how these public servants were by and large for the most part not utilizing their offices in
5 a way to further a partisan agenda or political goals but, instead, trying to find data-driven
6 ways to simply make democracy and elections work better for the citizens and also build
7 citizens' faith and trust in the process. And it was to me personally so -- as someone
8 who was an elections lawyer and wanted to do everything I could to improve access to
9 our elections and ensure that they -- to the best way possible, our democracy lives up to
10 the ideals of our Founders, was particularly moved at how little we knew at the time
11 about these offices and how much these offices can and are and were being utilized by
12 leaders to really move the ball forward on increasing access to the vote and the security
13 of the process.

14 And so my last interview was the Ohio secretary of state, Jennifer Brunner, after
15 which I turned off the tape-recorder and said, you know, I think I would really like to do
16 this job. It is very -- it seems to me to be one of the most direct ways in which an
17 individual can have an influential role in ensuring the integrity of our elections, the
18 accessibility of the vote, and also educating voters about how to assess their democracy
19 and their power in a democracy. And as someone who is an educator, the daughter of
20 educators, and an attorney and policy advocate I wanted to utilize those skills, as many
21 other current secretaries at the time were doing to serve the people of Michigan in a way
22 that would improve our democracy and do so really by increasing turnout and then
23 minimizing any potential security threats for the process. So it was building those
24 relationships with secretaries of state, many of whom -- some of whom are still serving
25 and many of whom have become great friends and colleagues, that I decided myself to

1 seek this office. And, in serving as secretary of state, I do so from the position of having
2 learned from those who have come before me on both sides of the aisle about how to do
3 this job well and protect and preserve democracy and avoid any partisan influence or
4 interference, as I think all of us must do in these positions.

5 Q And so I want to turn now to the November 2020 election. And I think it is
6 fair to say that, in Michigan, it was a contested election. Would you agree with that?

7 A From my standpoint, as the chief election officer, the 2020 election was an
8 extraordinary success. It certainly -- there were many contested races up and down the
9 ballot, both in the primary and in the general election, that cycle. But, in many ways,
10 the work that we did, if you block out the noise that candidates were making, was
11 actually extraordinarily successful, well-thought-out, and data-driven. So, in that regard,
12 the election, if you simply look at the operations of the election, the election was
13 extraordinarily smooth and successful.

14 What made it perhaps appear contested to the outside were candidates seeking
15 to interfere with our operations, confuse voters, cause chaos and challenges for us that
16 were simply trying to do our job. And, in that regard, it is an enormous success that we
17 still had a highly successful, secure, smooth, high-turnout election in the midst of all of
18 that. And so, from my vantage point, the 2020 election was actually a very operationally
19 smooth and successful and, I think if people who are able to see the truth see it,
20 universally applauded or universally I guess successful process. And I think trying to cut
21 through the noise that candidates created to make sure people see that truth has been
22 one of the more challenging aspects of this work.

23 Q Okay. And that is exactly what I want to talk about. And the noise that
24 some people suggest that it was not a smooth operation and that are suggesting that it
25 was contested. But that noise that you were hearing, were you starting to hear that

1 before the election took place?

2 A Yes. The noise really began on May 20th, 2020, when -- when the
3 President at the time began criticizing on the national stage our decision to send out
4 absentee ballot applications to every voter in our State. This was a decision that was
5 data-driven and based on really two or three factors: One, the fact that we were
6 entering the first election cycle that voters in Michigan would have the right to vote by
7 mail or absentee. This was a right created by voters themselves by amending our State
8 constitution in 2018 to create a right for every citizen to vote from home or vote
9 absentee. So the first and most important thing we had to do was make sure citizens
10 knew about that right and knew how to exercise it because we knew millions would be
11 potentially choosing that option to vote for the first time and had questions about it. So
12 that was the primary reason. We mailed every registered voter in the State a request
13 form to educate them about how to request their absentee ballot, which they had a State
14 constitutional right to vote from.

15 The second factor was the pandemic. And we saw, in the May local election of
16 that year, which was around I think May 3rd or 4th, the first Tuesday in May, an
17 enormous -- we saw high turnout, but an enormous interest in voting from home in the
18 midst of the pandemic in part because of the changing circumstances at that time. So I
19 also had a responsibility in that moment to make sure that citizens had the clarity of how
20 to vote from home, which they again they had the right do so in the midst of this election
21 cycle.

22 And then the third reason for sending out those absentee ballot request forms
23 was because we knew local clerks -- and many were starting to reach out to us at that
24 time -- local clerks both sides of the aisle all across the State from Ottawa County to
25 Detroit were saying: We know that the research shows when a voter receives an

1 absentee ballot request form from their election official, be it the State or the local, they
2 are more likely to respond to it and understand and believe that it is accurate as opposed
3 to receiving it from political party or a nonpartisan entity. And so we had the
4 responsibility to follow that data and ensure we were doing our jobs of giving citizens the
5 most reliable sources of information on how to request their absentee ballot. And,
6 when we noticed many local clerks but not all local clerks were looking to do the
7 same -- remember, we have 83 counties and 1,500 local clerks. It was incumbent upon
8 me as the statewide officer to ensure that, no matter where someone lived or
9 what -- who their clerk was, that they had that same opportunity to get that information.
10 So that was -- that sort of equal protection purpose as well was undergirding our decision
11 to at the statewide level send out those forms, because I didn't want a voter in Ottawa
12 County to get that form but a voter next door in Muskegon County to not get it because
13 that creates an unequal access potential.

14 So I say all that to say that is why we did it. We were grateful to have Federal
15 CARES funding to enable us to pay for it. And the entire decision was based entirely on
16 what is best for every voter in our State. And what happened at that point was the
17 President on Twitter -- the President at the time on Twitter then attacked that decision
18 and got it wrong. He said we sent out ballots when we actually didn't. So
19 misinformation. And then, you know, personally attacked me, calling me names and, in
20 that moment, created and made this very nonpartisan voter-driven, data-driven decision,
21 made it a lightning rod that, to this day, I am still being asked about and asking if I regret
22 making that decision or if it was a bad decision when, as I just explained, it was a very
23 data -- it was exactly what any secretary of state should have done in that circumstance,
24 and, indeed, many did. The Iowa secretary of state, the West Virginia secretary of
25 state, the Georgia secretary of state. The Ohio secretary of state reached out to me and

1 said: I want to be able to do this too. How can I?

2 And so this was a decision that many secretaries of state were making, yet
3 Michigan was singled out in a way that created a lot of controversy based on sort of noise
4 and falsehoods and misinformation that looking at simply the facts could have -- and the
5 determination that we made could have illuminated that indeed this was the right
6 decision for Republican, Democratic, Independent, all voters in our State.

7 Q You mentioned Federal -- I am sorry. Go ahead.

8 A So just to kind -- that is -- that is a longwinded anecdote in response to your
9 question of how we had -- of when things started. That was really the beginning of, and
10 then, at that point, every decision we made began to be made controversial by
11 miss -- through misinformation, causing people to -- many local election officials, many
12 Republican lawmakers in Michigan -- to pick up on that misinformation and try to repeat
13 it and essentially created the controversy that we battled through election day and
14 beyond. But it began in that moment. And my own, I think, disappointment on behalf
15 of all voters in our State that elected officials who are -- who must operate in a way that is
16 trustworthy to their citizens were instead using their platforms to lie and create
17 controversy falsely so based on nothing. And that citizens were then reacting -- many,
18 not all -- but some were reacting in a way that were creating anger and distrust of the
19 elections process based on misinformation, not based on fact. But it really began in
20 that -- in May and in various different ways continued through election day and of course
21 began to escalate after the unofficial results of the election became known.

22 Q We are going to walk through some of that. In the pre-election period, did
23 any Federal agencies assist in Michigan to ensure the accuracy of the vote and the
24 security of the election?

25 A Well, as I mentioned, as you referenced, the CARES Act funding were key. I

1 don't know if that is considered a Federal agency, but the CARES Act funding were -- was
2 probably the most significant action the Federal Government took at that time to support
3 us in the States. I and others asked for more and more support, which we didn't
4 receive, but we were able to utilize what we did receive effectively.

5 In addition to that, CISA was, under the leadership of Chris Krebs, extraordinarily
6 supportive. We had frequent conversations with him, both at the State level, the local
7 level, collectively as secretaries of state, as they worked to do what was really the most
8 important thing in that time, which was build the connective tissue between us and them
9 so that, if and when there were serious threats to the security of our process that they at
10 CISA became aware of, that we had a direct line of communication to them. So I was
11 really grateful for their work and support.

12 To a lesser extent and later on in -- closer to November, the FBI reached out to us
13 as well, and we had a meeting with them, Jonathan Brater and I. But it was late in the
14 process, and I didn't get the sense that they were coordinating with the leadership at
15 CISA, Matt Masterson and Chris Krebs in particular, who had been working through,
16 working with quite consistently throughout the election cycle.

17 Beyond that, I can't -- those were the two in terms of support from Federal
18 agencies. The Election Assistance Commission as well to a lesser extent was providing
19 support, particularly when it came to recruiting poll workers and other best practices, but
20 the Federal agency we worked most closely and continuously with was CISA.

21 Q And did they ultimately identify anything in Michigan that would have
22 affected, from CISA, the Federal Government's perspective, the outcome or the accuracy
23 of the vote in Michigan?

24 A No. And there was never any actual threats that came to fruition. There
25 were efforts to proactively prepare for threats like upgrading our websites and other

1 things. And whenever there was any, you know, potential threat or intelligence to
2 that -- in that regard, we were notified. But there was at no point any actual
3 interference with our elections. And, as I said before, we and as CISA, through Chris
4 Krebs, later confirmed, we actually got it right. And we got it right in part because CISA
5 also followed best practices in working with us in looking at data and reports of any
6 potential intelligence and concerns so that we could be prepared and respond
7 appropriately. As a result in part of that work, we were able to protect our systems
8 against any potential challenges or interference that would have impacted the accuracy
9 of any aspect of our process, including the vote results.

10 Q You mentioned earlier another election that Michigan had in May. And I
11 understand there is also an election, at least in August as well, of that year. Is that
12 right?

13 A Yes, uh-huh.

14 Q Was there any allegations that the certified results from those other election
15 held the same year in 2020 were not accurate?

16 A No. There were, I believe, if I recall correctly, in August, at the local
17 canvassing board in Wayne County there were concerns raised around poll book, balance
18 poll books where you have a situation where the number of people who show up to a
19 precinct are different than the number of ballots cast. And the job of the clerk during
20 the canvassing process is to resolve those discrepancies. And essentially what happens
21 sometimes is the clerk runs out of time to resolve all those discrepancies. And so those
22 results are then presented along with those discrepancies to the -- discrepancies in just,
23 you know, number of people showing up versus number of ballots cast and things like
24 that, imbalanced poll books, as they are called. So some of that emerged in the August
25 canvassing process after the August primary. And that actually for us was an indication

1 to begin providing more support for the Wayne County clerk and election officials in
2 Wayne County to make sure they had the time and space to resolve those basic
3 bookkeeping challenges that don't impact the results of the election at all but are
4 sometimes utilized, as they were ultimately in November but beginning in August, to
5 suggest something untoward, to falsely insinuate that something untoward was going on.
6 So recognizing that and this is work we continued to do and have now I think done
7 successfully, because in our most recent election, all the poll books were balanced out of
8 Wayne County in Detroit. But we began to see perhaps the seeds being planted at that
9 point of potentially questioning that and suggesting that an election shouldn't be certified
10 based on those discrepancies. The election was certified, but it also -- in August, but it
11 also led to us being more involved in Detroit's elections and building out a partnership
12 with the Detroit city clerk. Having the former elections director, Chris Thomas, who is a
13 renowned nationally known expert in election administration, be on hand to support
14 Detroit's elections in the fall. So, essentially, all that to say is anything that emerged for
15 us in the canvassing process post-August primary in Wayne County was utilized to
16 improve on elections processes for November. And then, of course, in November we
17 began to see a more coordinated, in my view, insincere and lacking in good faith effort to
18 utilize basic procedural things to suggest that, wrongly so, the election results were
19 anything but accurate.

20 Q Now I want to talk about this idea of the blue wave, I will refer to it as that.
21 But are you familiar generally what I mean when I say blue wave?

22 A Yes.

23 Q What does that mean to you?

24 A It is generally used as a political term to suggest a large number of voters
25 who vote Democratic in a particular election are going to turn out and, as a result of the

1 wave of their enthusiasm and support, will see the election of many Democrats in that
2 particular election. And the same can be seen of a red wave with the same happening
3 with Republican -- with voters voting for Republican candidates that then creates a
4 momentum electing many Republican candidates based on the turnout of voters who
5 chose those candidates or affiliate with that party and doing so in higher numbers than
6 those who don't.

7 Q And I understand there was some talk or discussion in the pre-election
8 period about this blue wave coming through absentee ballots and really happening on
9 election night or even after that based on how ballots are counted and processed from
10 absentee voters. Did you have concerns or thoughts about that before the election
11 going into November 3rd?

12 A We were aware that candidates were talking about the potential for ballots
13 voted on election day to favor one candidate that may not emerge ultimately to be the
14 winning candidate after all ballots were counted. And we were -- I was looking at things
15 through the lens of -- two things: One voters in Michigan can choose when they vote,
16 whether they vote prior to election day or on election day. And, at that point, these
17 were our first series of elections with that right in place. And our data didn't really
18 indicate. I mean, you could extrapolate things from other States, but we really didn't
19 have the data in Michigan to know for sure or really could we ever reliably know for sure
20 who is going to vote early and who is going to vote on election day. But we know a lot
21 of people speculated, and we know the President at the time himself was openly
22 speculating, as others of his most ardent supports were doing as well as well, is to -- the
23 affiliations of voters prior to election day versus on election day. That is really sort of
24 irrelevant to our work as election administrators. We just want to make sure everyone
25 knows that there are options to vote and chooses what is best for them.

1 That said, what I was concerned about was any effort by any candidates, but
2 particularly the former President, to falsely -- and I talked about this publicly at the
3 time -- falsely before every ballot was counted claim victory and do so on election night
4 when perhaps only a small portion of ballots had been counted and perhaps those ballots
5 might have favored him at the time. We didn't know a way to know if that was actually
6 going to happen. We were actually just prepared for him to say it regardless because
7 there had been such a pattern, beginning in that May incident that I talked about, of the
8 former President simply saying things that benefited him politically regardless of whether
9 they were true.

10 And so, my goal and my job as the State's chief election officer was to make sure
11 that citizens and the media knew that the voters and the counting of ballots decides who
12 wins an election, not a candidate. And so a candidate can't simply declare that they
13 have won at any point but certainly prior to all the ballots being counted until, you know,
14 we have the unofficial results prepared.

15 So one of the -- I really focused on three things in that week of November prior to
16 on election day and the days immediately following. One was making sure everything
17 went smoothly. Two was making sure our ballots were counted efficiently and
18 effectively and validated securely. But third was being a voice for our State at a time
19 when we knew likely that others were going to be trying to define who won before the
20 ballots defined who won or the voters defined who won that election. And so, from the
21 moment those polls closed in November -- that Tuesday in November, until we had the
22 unofficial results about 40 hours later, I was determined to continue speaking the truth
23 about the fact that, whether someone votes on election day or prior, their vote counts
24 and our job was to count every vote. I can go into more detail about some of the ways
25 in which the legislature wasn't helpful in that regard in Michigan because essentially,

1 under our laws, we can't begin processing absentee ballots until the morning of election
2 day whereas, in States like Florida and Ohio, they can begin much earlier. That was a
3 change we asked for for over a year and that the legislature never gave us, making us
4 surmise that, you know, potentially they didn't want us to succeed in quickly counting all
5 those ballots, but that was just our -- my own feeling at the time because we had no
6 other reason to why they weren't acting.

7 But that said, our job was to efficiently tabulate those ballots as quickly as possible
8 to minimize the amount of time that any candidate, including the former President, had
9 to confuse people about the results of the election by insinuating that if a vote of people
10 who voted in person on election day went, you know, just looking at those small portion
11 of ballots, favored him but counting every ballot didn't favor him, we were aware that he
12 would try to use that as an opportunity to suggest that he won the election based on
13 simply looking at who voted on election day itself. But again, as I have just gone
14 through, that is not how elections work.

15 Q Sure.

16 A And so we tried to throughout that time period remind people of that. And
17 of course that ultimately was just the beginning of -- I thought we would be
18 doing -- fighting that battle up until the unofficial results were declared because, at that
19 point, we didn't expect the -- we thought the voice of the voters would be clear,
20 unequivocal as it was and no one seeking public office would be in a rightful place to
21 challenge that fact. And, of course, we were sorely mistaken.

22 Q And so, of course, on -- late on the night of election day or early morning the
23 next day, the President went out and did declare victory.

24 A Yes.

25 Q And did that cause in fact the confusion that you were concerned about with

1 the voters?

2 A Yes. It created a baseline of suspicion about the election results, which we
3 have continuously worked and are still working to correct and address. And, again, it
4 was something that we felt, once the data and the truth was out there through the actual
5 full counting of the votes, that any suggestion that anyone who didn't win an election
6 that somehow -- you know, that it would simply dissipate the misinformation, dissipate
7 because the facts were so clear. And I think that was what was most disheartening, that
8 the lie, the misinformation became so -- took hold through various different ways in so
9 many circles that -- and the subsequent attempts through lawsuits masquerading
10 as -- well, PR campaigns masquerading as lawsuits and, you know, attempts to block the
11 certification; they were simply, in our view, attempts to keep that lie out there whereas,
12 in previous years, it would have dissipated as soon as the unofficial results were known.
13 But by challenging then the unofficial results as somehow invalid and continuing those
14 challenges up through and until January 6th and even beyond, it created this sea of
15 uncertainty based on no evidence or facts, but purely rooted in a political challenge or a
16 political strategy and a partisan strategy, in my view, to undermine the public's
17 confidence in the very clear and unequivocal election results, not just in Michigan but in
18 other States as well.

19 Q From your position where you sat as the Secretary of State, were there any
20 allegations in Michigan in particular that stood out as sowing these seeds of distrust or
21 confusion?

22 A Yes, there were many. I think what we experienced was any -- any lever
23 that could be pulled, any allegation that could be thrown to either actually block the
24 certification of the election or create enough distrust of the certification process as to
25 cause people to question its legitimacy, which again those were the goals one or the

1 other or both, was -- resulted in various questions and challenges and insinuations and
2 allegations. And it was, because they weren't really rooted in anything legitimate,
3 because every decision we made throughout the to 2020 election and beyond was rooted
4 in best practices that I had studied and that I knew and that our team had implemented,
5 and so we felt very confident throughout the process. And indeed I think the scrutiny
6 and our ability to withstand that scrutiny underscores this. We felt very confident
7 throughout the whole process that the facts and the true would prevail because we knew
8 the election results were accurate. We knew that the certification process under law
9 should proceed because there was no legal reason for it not to.

10 And every step of the way we had the law on our side, but what grew were the
11 suspicions and anger affiliated with those suspicions that were in no small part, if not
12 entirely led by, from our standpoint, the President at the time utilizing his platform to,
13 with the loudest megaphone perhaps in the room, spread those falsehoods that people
14 would then react to in a way that wasn't, again, rooted in truth but was rooted in sort of
15 following these lies and believing them.

16 Q There are a number of allegations that you mention popped up specifically in
17 Michigan. And earlier you mentioned somebody by the name of Chris Thomas. Chris
18 Thomas I understand is a former director of elections himself who worked in multiple
19 administrations. Is there -- I guess without the advantage of you having what he has
20 said about the Michigan election in front of you, do you have any reason to believe that
21 his conclusions that allegations about the TCF center or poll watchers or observers or
22 counting and dating issues, do you have any reason to think that his conclusions are not
23 correct with respect to the 2020 Presidential election?

24 A No. He is -- he is the gold standard. Chris Thomas is the gold standard for
25 integrity and deep knowledge of elections operations in Michigan and really nationwide.

1 That is why we wanted him there in Detroit because he is a trusted voice. He has
2 worked for three Republican secretaries of state and was one of the longest serving
3 election directors in the country. There is no one who is, in my view, a more trusted
4 informed voice about election operations in our State, certainly potentially in our country
5 than Chris Thomas.

6 Q And I do want to ask you specifically about Dominion. That was an
7 allegation coming out of Antrim County Michigan after the election. Can you briefly just
8 describe what your understanding of that was and how it was resolved or the conclusions
9 that your office or others in Michigan reached with respect to Dominion voting systems?

10 A Yes. Antrim County in particular, it first was brought to my attention I
11 believe the day after the election or thereabouts when I was asked by a reporter at a
12 press conference about the accuracy of the vote tallies coming out of Antrim County.
13 And I probably have a recording of my response somewhere, but I simply -- without
14 knowing more, simply just said I had, you know, faith and trust in the process and then
15 asked Jonathan Brater, our director of elections, who was much more closer to some of
16 the more granular challenges that day, for more information. And that is when I learned
17 it was an issue of human error and that essentially the clerk at the time failed to update
18 all of the programming for the tabulation machines with all races. So even though
19 machines counted the ballots accurately and had that accurate count, the reporting
20 software initially reported the unofficial results incorrectly. Now, that is why we call the
21 results unofficial. That is why we have post-election canvasses to catch things like that.
22 And it would have been caught in canvass where they actually look at the ballot and the
23 tabulator tapes and match that with the results of -- reported by the machines. So it is
24 just yet another example -- and you probably say this of any potential allegation that
25 emerged after the election -- of, if and when any error occurs or any attempted

1 maleficence occurs in an election, we have secure levels of protocols in place to catch it
2 before anything becomes an official result or officially tabulated, and this was the case in
3 Antrim. And so, from my standpoint, error caught, error addressed. It was fixed I
4 believe by the clerk before, you know, and -- before I think anything became particularly
5 controversial, it was identified and fixed. And so, at that point, I -- we assumed okay,
6 error caught, error fixed done, taken care of. Election results accurate, moving on.

7 Q So --

8 A And, in a typical election cycle, that would have been the end of it.

9 Q Understood. And so this human error that caused this, it sounds like it was
10 fixed, it was addressed. Was there any indication that you or your team were aware of
11 of hacking into voting machines or some bug in the system or in the software designed to
12 switch votes from one candidate to another?

13 A No. But we also know that there is always -- I have been studying this for a
14 long time, for decades. We also know and we always need to be prepared for any
15 potential malfeasance to occur, and that is why we have post-election audits, that is why
16 we have paper ballots, and again that is why we have many secure protocols in place.
17 Because, in my view, election administration is about creating the most secure system
18 possible, which we did, but also having protections in place to catch anything that may
19 occur because none of us are perfect and we are all human, and so we have to have
20 protocols in place to potentially correct errors as they occur and make sure that we can
21 have confidence at the end of day after those procedures and protocols have been met
22 that the results are accurate. And that is exactly what happened in Antrim County.
23 There was a human error. It was caught. It was fixed. And none of it actually
24 impacted the official results. And, of course, our full essential recount, hand recount,
25 livestream of those hand -- those actual ballots in Antrim County verified that the

1 machines accurately counted the results. So, again, we -- there was no evidence to
2 suggest that there was anything wrong or interference with our machines. But I will also
3 emphasize again that we had done the work leading up to election day to have that
4 confidence through verifying the machines prior to, which prior to an election, which
5 every clerk does, and does an accuracy test prior to an election, to our work with CISA to
6 be aware of any information about any potential threats or attempts to intervene with
7 our election machines, that we had a clear line of communication to be able to be made
8 aware of and react to.

9 And then, finally, I will mention one of the things I did in 2019 and 2020 was meet
10 directly with the vendors of our voting machines at Hart and Dominion and ES&S. And I
11 talked with them again leading up to the elections again to make sure lines of
12 communication were open and emphasizing to them that, if they heard anything or if
13 they knew of any vulnerabilities within their machines, to make sure we knew
14 immediately so that we could address them. And so all that to say is we didn't go into
15 this blindly, just assuming and trusting our machines. We did the work to make sure, if
16 and when any vulnerabilities emerged, we would know about them so that we could
17 address them. And that is why I can also say with such confidence that our machines
18 worked, and they were secure, and they accurately counted the ballots, not to mention
19 the hundreds of post-election audits we did, which again reaffirmed that truth.

20 Q I do want to talk you to you briefly about certification at the county levels in
21 particular. And are you aware of outreach or efforts to stop or delay the certification in
22 Wayne County in particular?

23 A We are aware of what was reported in press.

24 Q Okay.

25 A You know, that there was outreach made, there was -- and that was -- and

1 statements that were made, public statements that were made by officials at the time
2 regarding that outreach.

3 Q And we understand there was outreach from the President directly to two of
4 the Wayne County Board of Canvassers members, Monica Palmer and William Hartmann.
5 Is that the public reporting you are referring to?

6 A That is my understanding of what occurred. And I would also say that
7 actions they took seemed to have validated that reporting, actions that the canvassers
8 took and questions that were raised seemed to indicate that -- the legitimacy of that
9 reporting.

10 Q And both of them are Republicans on that Board of Canvassers. Is that
11 your understanding?

12 A Correct. I believe one has since passed away.

13 Q Mr. Hartmann, I think that is correct.

14 As members of the Board of Canvassers, they are not in charge of elections in
15 either Michigan or in Wayne County. Is that right?

16 A Correct. Their job is -- and they are appointed by two -- by political parties
17 themselves. Their job is to basically check and make sure all the procedures were
18 followed, to provide another set of eyes, as it were, on the elections processes. And,
19 barring any evidence or concerns that would significantly suggest that the results are not
20 accurate, their job is to certify the elections at the local level.

21 Q So the President we understand reached out to them. Did the President
22 ever reach out directly to you, the chief elections officer in Michigan?

23 A Only on Twitter. No, not directly to me.

24 Q Okay.

25 A Other than more public statements that he made on social media.

1 Q And my understanding, I looked briefly at the Michigan Board of County
2 Canvassers' manual, which again I know you don't have the benefit of having it in front of
3 you. But it does say that the Board of Canvassers, based on a Supreme Court case and I
4 guess other laws and regulations in Michigan, that it is not the job of canvassing boards to
5 go behind the returns, especially for the purpose of determining fraud in the election.
6 Their duties are more or less clerical. I understand there is some nuance there. But
7 generally is that that your understanding as well?

8 A Yes. Our understanding and our expectation that the limits of their legal
9 authority as appointees by parties is simply to observe the process and to I think the law
10 actually says they shall certify. And so they have a legal responsibility and obligation to
11 certify. And stretching the boundaries of their authority was something that we
12 continued to see suggested, but their authority is very clear under the law.

13 Q And I also understand that Michigan law allows candidates to request
14 recounts in Michigan, particularly a President or a candidate for President is able to do so
15 if, under Michigan law, the request alleges fraud or mistakes in the canvassing and so long
16 as the candidate does so with specific allegations. Do you recall President Trump or his
17 campaign ever seeking a formal recount with you from the 2020 election?

18 A No. There were some local candidates who requested recounts of local
19 races, which we completed in partnership with the clerks. The former President and his
20 campaign or anyone affiliated with it and anyone else running for statewide office,
21 including the Senate candidates, none of them requested a recount at any point, which it
22 was of course their legal duty -- or their legal right to do so if they chose to. And we
23 were prepared fully and even awaiting or expecting such a request and ready to fulfill it, if
24 asked. But no request was ultimately made.

25 Q So the President -- none of claims that the President or people on his behalf

1 were making about fraud or improprieties in Michigan were actually written down on
2 paper and submitted to you as part of the formal recount request, even though the
3 President had the right to do that. Is that correct?

4 A Correct. There was no formal recall request submitted to our office or any
5 other office in Michigan. And I will add that, in furtherance of that, we actually
6 voluntarily did a full hand recount of the votes in Antrim County in response to the
7 misinformation and its metastasization, if that is a word, and to again affirm the results
8 and quell people's concerns. Indeed, that full hand recount did affirm the accuracy of
9 those results. And my point in saying that is that we were at every time willing to
10 comply with requests made, and we were willing to and even did go above and beyond to
11 proactively try to demonstrate and reinforce the accuracy of the election results. But, of
12 course, it all fell on deaf ears because it, in my view, fit in with what was clearly a political
13 strategy to delegitimize the election results, even if there was no evidence that those
14 results were anything but accurate.

15 Q And I understand that, separate from the recounts, there were also a
16 number of audits conducted in the State of Michigan with respect to the vote. Did any
17 of the audits turn up information that suggested that the vote was anything other than
18 fair, secure, or accurate?

19 A No. The audits and there was a risk-limiting audit that we had been
20 preparing to do. We had started preparations for in 2019. So that audit took place as
21 planned. And I say that to emphasize that risk-limiting audits statewide take a lot of
22 work and piloting and collaboration to pull off successfully. And we had done had that
23 work prior to any of this emerging. And that is why I -- that is in part why I feel so
24 strongly in the success and the accuracy of that audit, as well as the hundreds of other
25 audits conducted at the State and local level, all of which and the results of which are all

1 laid out in the report that we released following those audits.

2 The other thing I will emphasize is those audits looked not just at the machines
3 and the accuracy of the results and the tabulation, but also at the procedures that went
4 into validating the ballots, ensuring if someone showed up to a precinct, that all of the
5 rules were followed and they were effectively identified as the voter. And so we also
6 audited the procedures in place and the secure protocols we had in place to protect
7 against malfeasance prior to a ballot getting to a machine. And all of those audits also
8 affirmed that the secure protocols were in place, that the rules were followed, and,
9 therefore, we could trust not just the results of the ballots being tabulated by the
10 machines and that part of the process, but the process in which ballots were cast and
11 ultimately fed into the machines and validated prior to that point. And so I think that is
12 important to note because, in some cases, the auditing process has been I think wrongly
13 criticized as something that just looked at ballots as they were voted through machines
14 and the accuracy of that. Our audits were comprehensive as our report details and
15 looked at both the procedures as well as the tabulation.

16 Q And I would like to shift briefly to this idea of alternate electors in Michigan.
17 After we last spoke, your office provided documents to the committee of electoral votes
18 purportedly submitted by Republican electors in the State of Michigan to cast votes for
19 then-President Trump, who was not the certified winner. Can you tell us about your
20 understanding and what you knew at the time about any efforts to have alternate
21 electors to meet and cast votes for Donald Trump in Michigan?

22 A Yes. The -- there was a lot of discussions and chatter about that element of
23 the strategy that we saw unfolding that we were trying to piece through as we lived it,
24 whether it was, you know, attempts to block the certification at the State or local level,
25 which happened in November, and then, moving through that, November 23rd, our State

1 results were certified. We then, the next front, the next evolution of this battle, for lack
2 of a better word, was this question of whether or not still an alternate slate of electors
3 would be submitted.

4 And we were again just responding to chatter and intelligence and that sort of
5 thing. And I say all that to say that the crystallization of that chatter was really when
6 actual people showed up outside our State capitol on a day when we were meeting inside
7 in the senate chamber to formalize the electoral college vote process and have the
8 electors vote and submit the official slate of electors, signed by the electors themselves
9 and verified by the Governor and I, and submit that to the National Archives. So the
10 manifestation of that chatter and the, you know, was in the actual people who showed up
11 outside the capitol and claiming to be the electors themselves and the security needed
12 around that day. There was also a, I believe, my recollection is that a lawmaker or
13 current or former at the time was doing a radio interview that morning of the electoral
14 college certification in our State, suggesting that there might be violence at the capitol
15 that day, at the State capitol. And, again, I would pull up the interview to get the
16 most -- this is just my recollection of it, but there was a sense that there might be a bomb
17 threat or something of that sort, but that might have just been us kind of piecing together
18 the chatter we were hearing. But there was an air of concern that something bad might
19 happen that day at our State capitol.

20 And, again, from my standpoint, in the middle of all this, I am just trying to do my
21 job. And so 95 percent of my thought and focus is on making sure we get all the
22 materials, making sure we get to the capitol, making sure we continue to talk publicly
23 about the process and affirm to people that it is moving forward. And so I spent very
24 little time thinking about what could happen or what could go wrong or any violence that
25 might -- but there was definitely a sense, an aura in the air through the chatter that -- of

1 uncertainty, that something could happen. And so -- so, anyway, but the videos are of
2 the people who showed up, I think were kind of again the most physical manifestation of
3 a lot of that chatter claiming to be the false electors.

4 After our official ceremony, we then went directly to the Governor's office. The
5 Governor and I then signed -- and there are documented photos of this that the Governor
6 and I signed all of the official -- the official slate of electors was signed and then sealed,
7 and then I put the seal on it as the keeper of the State seal. And those were
8 immediately given to or transmitted to the National Archives. There was a sense of
9 urgency in that moment about transmitting that information that was palpable. And I
10 didn't know all the reasons why there was any such an urgency, perhaps the Governor's
11 attorney, Mark Totten, did, but there was definitely a sense that we have got to get these
12 official slates of electors to the National Archives as soon as humanly possible, and we
13 have to confirm that they were received. And there was my first time going through all
14 of this so I didn't have much to go on that this is different than any other. But, again,
15 there was a palpable sense of urgency. At the time, I didn't know about any potential
16 formal written alternative slate of electors or anything like that. It wasn't until later, a
17 few days later, that we learned of that, that that helped me understand the sense of
18 urgency at the time of submitting our official slates. And then, at the time, and I believe
19 it was around January, a few weeks later, in 2021, where we learned about the alternate
20 slate that we then knew that it was unsuccessful because -- this was prior to January 6th,
21 but -- I believe -- but it was unsuccessful because we submitted our official slates; we got
22 confirmation it was accepted, all of that. So we had done what we needed to do. So I
23 didn't give much thought about the alternative slate at that time other, than to refer it to
24 the Attorney General to see if there were any laws violated in that regard because it is
25 certainly something that is alarming. And had we not done everything we needed to do

1 with the sense of urgency to get the official slates in and everything we had done up to
2 that point to create those and make sure those official slates were ready to go, you know,
3 it creates this air of, what could have happened had there been a breakdown on the
4 official side of our processes, knowing that there were folks waiting and potentially
5 planning and strategizing to submit this alternate slate?

1

2 [11:07 a.m.]

3

BY [REDACTED]:

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Q So it's been publicly reported and out there that one of the reasons, or perhaps a primary reason for these alternate slates meeting, at least given by them, was in the event that a State legislature or court determined that the outcome of an election at any given State was actually different, that these would be in place.

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Were you aware of any formal request for GOP or Republican electors to meet because of that? You know, still meet in the capitol as required by law, cast these alternate votes, just in case they're needed? Did the Republican Party or anybody reach out to your office, or anybody in the capitol that you're aware of, to actually set this up and kind of follow the Michigan laws and having these people meet and cast votes?

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A No. There was no outreach to our office, but there wouldn't have been because, in order to set anything like that up, they would work directly with the capitol, with the -- which the lawmakers -- our State senators and State representatives and the Republican leadership in both of those chambers, they're the ones who would have, I believe, gotten those requests, not us. Or they could have gone through the Governor's office.

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But -- so those types of requests wouldn't have come to us. My -- my appearance and my role at the electoral college certification was primarily ceremonial as the State's chief election officer. My official role came later in actually signing the certificates, and so -- so there was no reason why anyone seeking to have an alternative session would have gone through us. There were other places -- I imagine the State lawmakers -- where they would have gone to arrange that.

25

I will simply just say, though -- and, at this point, everything -- I don't -- I don't

1 have a recollection as to when exactly I learned that there was, but we know it's been, I
2 think, since revealed through memos that there was a plan to get access to the State
3 capitol and -- and so I imagine there perhaps were conversations [inaudible] --

4 [REDACTED]. Uh-oh.

5 Secretary Benson. -- for the purpose of seating electors.

6 I know that the timing of us actually physically showing up, everything was
7 very -- can you still hear me? It says my internet --

8 [REDACTED]. Yes.

9 Secretary Benson. -- connection is unstable. Okay.

10 There was a -- that day, again, there was so much happening at every minute in
11 those moments, and I was just trying to focus on my work, but there was definitely a
12 sense of a need for greater security around the capitol building and the need to make
13 sure we got there, we got in our seats.

14 There -- you know, and that was mostly the Governor's office and Lieutenant
15 Governor's office that were managing everything, but there was definitely a tenseness to
16 the entire process that -- that suggests to me, in retrospect and even maybe going
17 through it at the time, that there was more that we didn't know of that was happening.
18 And -- and I think that's some of what we've seen unfold since.

19 BY [REDACTED]:

20 Q Secretary Benson, this is [REDACTED]. I just wanted to ask you a couple of
21 followup questions about this line.

22 I know you've told us that you were monitoring and obviously having to react and
23 deal with a lot of the misinformation and the -- I think you described it as, you know,
24 different elements or manifestations of the strategy to interfere with certification of the
25 election, coming primarily from the then-President, and I wondered if there -- during this

1 time, either after the meeting of the electoral college or since then, if you're aware of
2 efforts in the State legislature or elsewhere in Michigan to have some other formal action
3 taken that would have purported to confer some legitimacy on this alternate slate of
4 electors?

5 A I'm not specifically aware of any -- you know, nothing was shared or would it
6 have been shared with me directly. And -- because I don't talk regularly to the senate
7 leader, Mike Shirkey, or his staff. To the extent that I was at the time in contact with
8 Lee Chatfield, the speaker of the house, and his staff, it is unlikely that they would have
9 shared anything with -- with my office about this, because it -- you know, at that point,
10 they would be collaborating with an attempt to undermine the official actions that my
11 office was taking, so why would they alert us to that?

12 It's been more, you know, again, reports in the press that -- that there was
13 pressure made, and I don't know. I don't know all of the conversations that occurred,
14 but I know there were probably many that occurred that I was not a part of that kind of
15 reflected the actions that we experienced, like people showing up outside the --

16 Q Right.

17 A -- the State capitol on the day that we're inside -- the moment that we're
18 inside certifying those votes.

19 I will also add, as I'm thinking through it, there was also a -- there was a, you
20 know -- there was a high -- just everything was well planned that day, and it was very
21 important that I and others got into the chamber at a certain time. That was impressed
22 upon me, without knowing why.

23 Now knowing that there may have been an attempt for others to get there first, in
24 which case they -- you know, others who have control of those chambers might have
25 potentially permitted, although I don't have any, you know, direct access to that

1 knowledge. But there was a sense of we needed to get there quickly and as soon as
2 possible to go through this formal process.

3 And, again, it being my first time doing this work, it was -- you know, nothing kind
4 of, you know, particularly struck me as -- as alarming, but now, knowing greater context, I
5 could envision there was perhaps a scenario in which we needed to get there and be in
6 place prior to anyone else showing up because certainly people did show up after we
7 were in place.

8 Q And just one more question on this.

9 After your -- after your office received a copy of the purported alternate slates, I
10 believe your -- you received them directly from the Archives. So, after you looked at a
11 copy and realized that that slate had also been submitted to the National Archives, what
12 was your reaction? What did you think about what you were seeing?

13 A It -- my reaction was, well, I'm glad -- our official -- my initial interaction was,
14 well, these are illegitimate, but -- and now I understand some of the sense of urgency
15 behind getting our materials in as quickly as possible. And, again, it was -- it was, you
16 know, again, palpable that the -- the sense that it was very important that these physical
17 documents get into the hands of the National Archive as soon as possible. So it helped
18 me understand a little bit of why there was that urgency.

19 And -- and then, secondly, it helped illuminate the broader strategy in going into
20 Congress, which -- which I think unfolded, you know, on January 6th. But, you know, in
21 that moment, when we were on -- we are -- just lived through over, you know, 60,
22 70 days of every day seeing more and more of this very -- what ultimately, in retrospect,
23 seems to be a well -- a strategy -- I don't know if I would call it well coordinated, but it
24 was certainly a coordinated strategy, beginning with the -- you know, immediately
25 following the closing of the polls, and probably beginning prior to election day as well.

1 But, in terms of post-election strategy, trying to control the narrative around this
2 question of who won and who lost despite the -- before the ballots had even been
3 counted, and then, you know, interfere with the local certification, and then interfere
4 with the State certification, and then the electoral college vote, and then, you know,
5 showing up at my house.

6 It was -- it just felt like every day, there were more things that were being
7 revealed as to the tactics, and then the lawsuits and everything else that -- the tactics that
8 were being employed all towards trying to block the ultimate certification of the election
9 for the Presidency.

10 And so I say that to say, upon receiving -- the context in which I received these
11 alternate slates was yet another thing of this path. And it wasn't until January 6th
12 where I was able to understand that this was not a day-to-day thing that we were just
13 encountering, you know, the tactic at the moment, that this seemed to be a very
14 well-planned -- planned and coordinated strategy to use every possible avenue to
15 overturn the election results and to block our official election results from coming to
16 fruition and through the electoral college and perhaps in other States as well.

17 So, upon receiving this alternate slate of electors, it was, you know, yet another
18 tactic that was attempted and that was unsuccessful and that we preempted. But it was
19 also a reminder of how close every one of these arrows that were slung at our democracy
20 came to being successful.

21 And, in the post-January 6th work that I and others have tried to do, we've been
22 focused on making sure, with the expectation that those arrows may come again in the
23 future, that we are prepared or even more prepared to handle them as we in some ways
24 did but -- but in some ways through happenstance in the post-election period of 2020.

25 [REDACTED]. Thank you.

1 [REDACTED]. And, Secretary, I'm aware of your time limitations today.

2 Secretary Benson. Yeah.

3 [REDACTED]. It is 11:15. We have -- we kind of have one more block for you,
4 and we're happy to pick it up at a better time, so completely defer to you and your
5 schedule.

6 Secretary Benson. I have -- I mean, I have maybe 10 -- gosh, 5 more minutes,
7 because I have to go to another meeting, and I have to call for a -- I'm on Mackinac Island,
8 so I have to call for a ferry before that, so I've got 5 more minutes. I can --

9 [REDACTED]. Okay. And we --

10 Secretary Benson. We have time next week if we need.

11 [REDACTED]. Okay. That sounds great. Then do you want to just trek through
12 for the next 5 minutes or so?

13 Secretary Benson. Yes, please.

14 [REDACTED]. Okay. All right.

15 BY [REDACTED]:

16 Q So you -- one of the things you just mentioned was people showing up at
17 your house, is one of the things that occurred in the post-election period up until
18 January 6th, and I want to talk to you about that.

19 So can you tell us about that and the personal toll that some of the
20 election-related issues were having on you and your family?

21 A That's hard to do in 5 minutes.

22 Q Okay.

23 A I will say -- I will say the actual events of that night was -- and this to my day
24 tells me the only way we even heard about this ahead of time was from a Democratic
25 lawmaker seeing a post on Facebook where someone -- someone said: We're showing

1 up at 8 at an official's house tonight.

2 And they mentioned -- they used the "she" pronoun in their posting. You'll
3 probably find their post.

4 Someone saw that and reported it to -- I think called the AG, and -- or called or
5 reported that -- no, reported it to the capitol police, the State capitol police, who then
6 reported it to the Michigan State Police, who then called my office and the attorney
7 general's office and said: We don't know whose house it is, but we've received this tip.
8 And that was at 8 o'clock.

9 And I then went to the Facebook post and read the post as well as the context for
10 it, and it was all about me and the election and mad at me for overseeing this election,
11 and it was all kind of just attacking me.

12 So I was like -- I mean, clearly it's me, guys. I don't know, like, why, like, we
13 would conclude anything else. And that was around 8 o'clock.

14 And then I called the attorney general and basically said: Well, it's one of us.

15 And she said: Well, I'll call you if it's me.

16 And I said: I'll do the same.

17 And then I just had to sit there. And then, about 45 minutes later, we started to
18 hear the noises outside my home, and that's -- my stomach sunk, and I thought: It's me.

19 And they're -- and then we just -- we don't know what's going to -- and the
20 uncertainty of that was what was the fear. Like are they coming with guns? Are they
21 going to attack my house? I'm in here with my kid. You know, it's -- I'm trying to put
22 him to bed. And so it was -- that was the scariest moment, just not knowing what was
23 going to happen.

24 And then Michigan State Police, again, knew at 8 o'clock that night -- they didn't
25 show up to my house until 9:45. And, in that time period, from about a little before 9,

1 when folks showed up to 9:45, when police showed up, the only person standing in
2 between those protesters and my home was a neighborhood security guard, who we
3 called right away and showed up -- and who showed up and just stood on my doorstep.
4 And we have video footage of this from our security cameras.

5 And there were a couple of times in which folks approached the house, in which
6 case the security guard approached them. But, you know, it was -- it was a
7 neighborhood security guard, one, and that was it. And that was the scary time.

8 And so, during that time, I just kept calling the attorney general and telling her
9 what was going on. And then, eventually -- and I was almost just -- I mean -- and I was
10 also -- you know, I'm a mom, so I was -- I was just trying to, like, protect my son and
11 maintain calmness in the house and take him to his bath and put him to bed and make
12 sure he didn't hear the noise at the same time.

13 And my husband, who was in the house at the time, called 911 and let them know.
14 Still no one showed up. And I think he was, like, on hold with them for a while, while I
15 was doing all of this. And -- and so I'm sure there is a record of the 911 call and when
16 that happened.

17 But the biggest frustration was that no one showed up until 9:45. As soon as
18 law -- as soon as Michigan State Police showed up and then, about 5 minutes later,
19 Detroit Police showed up -- as soon as that happened, they dispersed. And -- and I met
20 with Michigan State Police afterwards, and they said -- they had actually interacted with
21 the protesters, and they said: A few were armed.

22 This is Michigan State Police: A few were armed, and, yet, it's an open carry
23 State, and so they're within their right to do that, to openly carry weapons.

24 And -- and I just -- obviously anyone's going to remember if someone said that to
25 them, and so that was like -- that was my most cogent memory of that briefing after the

1 fact.

2 The only other thing to add is that, as it was going on, again, my focus was on my
3 kid. And then, you know, during the bath, I would, like, call Dana and let her know that
4 they were still there.

5 And then she said: Well, I'm going to call the mayor.

6 So then the Detroit mayor called me and said: What was going on?

7 And then he could hear them over the phone outside my house. And he said:
8 Is anyone there?

9 And I said: No, we're waiting for Michigan State Police to show up.

10 And he said: Well, I'll get DPD to come.

11 And then James Craig, who was then the chief the police for Detroit, called and
12 said the same thing and said: I'm so sorry; we didn't know about this.

13 We called 911. I don't know why he didn't know.

14 And we have a police station about a mile from our home, and so eventually they
15 came. But it was a good 45 minutes in which, again, just neighborhood security guard.

16 And I -- and that was my sort of after-the-fact relief that nothing bad happened,
17 like there were no shots fired into my house, which is what, to this day, I'm still
18 concerned about. And we left my home after that. We stayed at a hotel by my kid's
19 school for a few days just to get out of the house because we, again, didn't know if people
20 were going to show up again.

21 We then -- and I would -- was -- and I'm a very private person, and so at no point
22 was I hoping this would become public. And it was then the next day where Jake
23 Rollow, my communications director, called and said: Media knows about this, and
24 we're going to have to issue a statement.

25 And I just didn't want to have to talk about it, so then I wrote an op-ed, and it

1 ultimately became a statement from me, which I posted that day, about what happened.
2 And that is public. We can get that to you.

3 And then, you know, have subsequently -- you know, have -- I have subsequently
4 authored public descriptions about it. But that was the essence of it. And -- and I
5 think it was then hard to have so much public attention and have to kind of keep talking
6 about it on the news and all that, but that was the actual experience itself.

7 The other -- the last thing I want to add is that, after the fact, we worked with
8 Michigan State Police. The Governor reached out. The head of MSP reached out, and
9 they apologized for their lateness in responding, which I still have never fully understood.

10 And -- and -- but, at that point, I'm just about looking forward, so I said: What do
11 we need to put in place so that, if and when this happens again, people are there right
12 away? Because, if people had showed up within 3 minutes, it would have lasted
13 3 minutes.

14 And so now, if I call 911, they know it's me, and they know to escalate or come
15 right away, so we put procedures in place after the fact, but my biggest frustration and
16 recollection of that night was that the -- the slow police response time.

17 Q Have any armed protesters showed up outside your home in response to any
18 other elections other than the November 2020 Presidential --

19 A No.

20 Q -- election?

21 A No. No. And, if anyone has -- and there have been incidents where
22 people individually have showed up at my home or things have occurred, and I never get
23 the sense it's about anything other than the November 2020 election.

24 Q The last thing I have is that it's been recently reported that the President had
25 made comments about you as a potential traitor.

1 Can you tell us about the comments that you heard and how you learned about
2 them?

3 A Yeah. Right around the same time as all of this was happening in
4 December of 2020 -- it might have been -- I don't recall exactly, but it might have been,
5 like, after the incident that I just described because it was certainly received in this
6 heightened state of anxiety that I was in at that time.

7 I received a phone call, and I was -- from a trusted colleague, who is not an
8 election official, and they were probably trying to, I think, check in and make sure I was
9 okay and just checking -- it was sort of a check-in call in which we were discussing just
10 the -- a lot of the examples of unorthodox things that were occurring in that moment and
11 the high temperature of everything.

12 And they said to me: Well, you know, I -- I heard -- I know -- I heard from a
13 person who was at a Cabinet-level meeting in which things were discussed that would
14 make your -- something like your hair stand on ends and, you know, just your skin curl, or
15 something like that.

16 And I said: Really? Like what?

17 And they mentioned the seizure of voting machines being discussed and related to
18 Antrim County and in relation to that as well as the arresting me -- they said, you know, in
19 this -- in this Cabinet-level meeting, the President was talking about seizing voting -- the
20 seizure of voting machines and -- potentially related to Antrim County and -- and then
21 arresting you and Brad Raffensperger and having you tried for treason and potentially
22 executed.

23 And, at the time, it was -- I mean, I'm in this mode where I have complete, full
24 faith in our elections processes. I know there were -- nothing wrong happened. So no
25 threats about me being locked up or arrested coming from the President or anyone else,

1 which this was not the first or last time someone -- I mean, my political opponent in this
2 moment had a lock on her logo. So, like, this idea that election officials should be
3 arrested and then potentially tried for treason and potentially executed was not -- wasn't
4 a novel, unfortunately, concept. Just it made my stomach sink. I was very sad to hear
5 it, just is another example of the depths in which people are sinking to. But it wasn't
6 received in such a way that seemed like it would be acted upon.

7 Q Uh-huh.

8 A I was also, however, in the stage of just hearing all of these things and trying
9 to just do my job and protect the election results and look -- take one step at a time in
10 furtherance of that work.

11 And so the threats were, in many ways, tangential to that and just kind of another
12 thing that was happening, but not something that I could really waste or spend a lot of
13 energy on, because they were, in my view, irrelevant to the actual work that I had to do.

14 And so they were -- I -- long way of saying that it was added to kind of the pile of
15 noise that I was hearing and had been hearing for a long time --

16 Q Yeah.

17 A -- from the White House and not something that I felt was -- it, you know,
18 something that was actually going to happen, but it was more an illustration of the
19 chatter.

20 Q Do you know who the person was who was in that meeting at the White
21 House who provided this information?

22 A Not directly.

23 Q Okay.

24 A And I have not -- I haven't talked to -- I have not spoken with anyone who
25 was directly in that meeting. And the person who shared this with me prefaced the

1 entire conversation with, like: You can't share this with anyone. It was -- I think it was
2 just said -- they said: It would make your skin curl.

3 And I said: What?

4 And they said: Well, look, you can't share this. This has to be kept in
5 confidence, because I'm not even supposed to know this, but.

6 And so that's part of the reason why I didn't tell anyone about it. And that's a
7 significant reason why because this is a trusted colleague and someone who I -- you
8 know, I don't -- yeah. So -- so, anyway -- but, yeah, I don't -- I don't -- I haven't heard
9 directly from anyone who was in the meeting with this information.

10 [REDACTED]. Okay. All right. And we may follow up with you or your office
11 off the record about some of that.

12 Secretary Benson. Yeah.

13 [REDACTED]. It may be helpful to us to kind of better understand that. But
14 I -- again, I'm aware of your time constraints right now.

15 Secretary Benson. Yeah.

16 [REDACTED]. And, if there is that followup, we will certainly do that. So, at this
17 point, unless there is anything else you'd like to add based on what we've gone over,
18 Secretary Benson, I think for today, we're certainly complete.

19 Secretary Benson. Okay. Well, thank you for your time. Thank you for doing
20 this --

21 [REDACTED]. Yeah.

22 Secretary Benson. -- very important work. It is not easy to relive all of this.

23 [REDACTED]. No. No. Understood.

24 Secretary Benson. I'm trying, but -- but, yeah, we have some time on Monday.

25 And, truly, whatever you need from us, we're here. So we'll --

1 ██████████. Okay.

2 Secretary Benson. -- always take the time for whatever you need.

3 ██████████. We appreciate that. And let's go off the record.

4 [Whereupon, at 11:29 a.m., the deposition was adjourned.]

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Certificate of Deponent/Interviewee

I have read the foregoing ____ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

Witness Name

Date