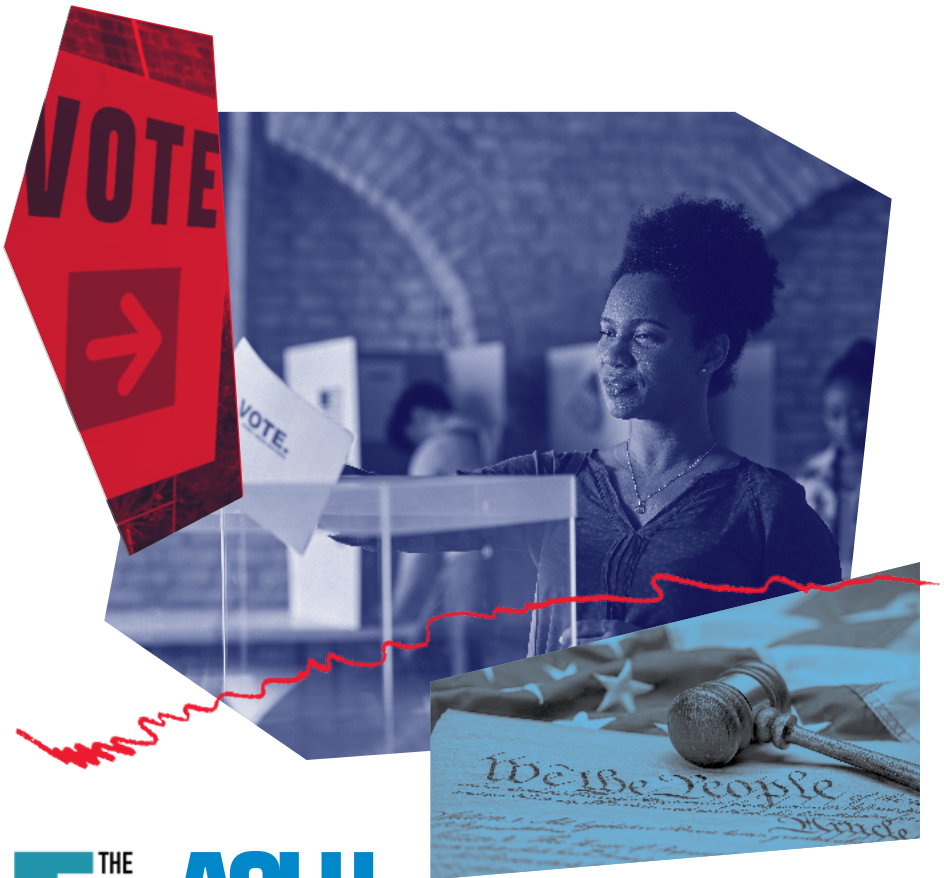


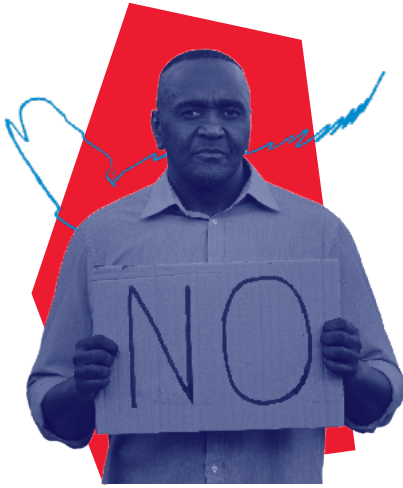
Know *Your* Rights

LAW ENFORCEMENT PRESENCE AT POLLING PLACES

Pennsylvania law strictly limits law enforcement and military presence at the polls.

In general, police officers are not permitted in or near a polling location.





No police officer—whether uniformed or not—may be within 100 feet of a polling place. The **only exceptions** to this 100-foot rule are when:

- The police officer is personally voting.
- The polling place is located in a building that also houses a police station.
- The police officer is serving a warrant.
- The police officer was called to clear a path to the polling place or to calm a disturbance.

Voter intimidation is prohibited under state law

- A police officer can **never** use unlawful intimidation, threats, force or violence.
- A police officer can **never** inappropriately influence a voter, prevent a person from voting, or restrain a voter's freedom of choice.
- A police officer can **never** try to persuade voters on how to vote or attempt to influence the election while within 100 feet of the polling place.

The Election Code similarly limits armed forces: “**No body of troops** in the Army of the United States or of this Commonwealth **shall be present**, either armed or unarmed, **at any place of election** within this Commonwealth **during the time of any primary or election.**”¹

Article I, Section 5 of the Pennsylvania Constitution guarantees: “Elections shall be free and equal; and no power, civil or military, shall at any time interfere to prevent the free exercise of the right of suffrage.”²



Federal law also guarantees you the right to vote free from intimidation

Every eligible citizen has the right to cast a ballot freely, fairly, and accessibly – without fear of intimidation.

“No person, whether acting under color of law or otherwise, shall intimidate, threaten, or coerce, or attempt to intimidate, threaten, or coerce any person for voting or attempting to vote . . . ”³

It is illegal to “intimidate, threaten, [or] coerce ... any other person for the purpose of interfering with the right of [that] other person to vote or to vote as he may choose.”⁴

Federal law explicitly prohibits the presence of armed federal agents at the polls

The deployment of U.S. Immigration and Customs Enforcement (ICE) or other federal officials, U.S. military, or federalized or state National Guard troops to interfere with elections and the right to vote is illegal.

“No officer of the Army, Navy, or Air Force of the United States shall . . . in any manner interfere with the freedom of any election in any State, or with the exercise of the free right of suffrage in any State.”⁵

It is a crime punishable by fine or imprisonment for:

“an officer of the Army or Navy, or other person in the civil, military, or naval service of the United States, [to] order[] [or] bring[] . . . any troops or armed men at any place where [an] . . . election is held”⁶

“an officer or member of the Armed Forces of the United States . . . [to] prevent[] . . . by force, threat, [or] intimidation . . . any qualified voter of any State from fully exercising the right of suffrage at any general or special election”⁷

EXAMPLES OF ILLEGAL VOTER INTIMIDATION

- The deployment of federal immigration agents or federalized National Guard in or around polling places in targeted communities during early voting or on Election Day to try to suppress voting.
- Federal agents at polling places hovering near voters, questioning voters, asking about voter fraud, etc.
- Individuals wielding a weapon in an intimidating manner at polling places. Voters in Pennsylvania who have a legal right to carry a firearm cannot be prohibited from entering the polling place (unless the polling place is located inside a school or courthouse). However, a voter with a legal right to carry a firearm may not behave aggressively nor engage in behavior that is intimidating to other voters. This includes aggressively questioning voters about their citizenship, criminal record, or other qualifications to vote.
- Falsely representing oneself as an election official or federal, state, or local law enforcement official.
- Displaying false or misleading signs about voter fraud and related criminal penalties in or near polling locations, or sharing misleading information about the time, place, or manner of the election.
- Other forms of harassment, particularly harassment targeting non-English speakers and voters of color.
- Spreading false information about voter requirements.

1. 25 P.S. § 3047 (emphasis added)

2. Pa. Const. art. I, § 5

3. 52 U.S.C. § 10307(b)

4. 52 U.S.C. § 10101(b)

5. 52 U.S.C. § 10102

6. 18 U.S.C. § 592

7. 18 U.S.C. § 593

What to do if there are reports of ICE, National Guard, or other federal agents in your community during early voting or on Election Day?



Before Election Day, make your plan to vote.

Consider voting by mail if you can meet the vote-by-mail deadlines.

Remember:

- You have the right to vote free from intimidation.
- You do not need to speak English to vote.
- You do not need to pass a test to vote.
- In Pennsylvania, you do not need to present identification to vote, unless it is your first time voting at that polling place. Find a list of acceptable IDs here

<https://www.pa.gov/agencies/vote/voter-support/new-voters>

Report intimidation to the Election Protection Hotline:

- English: **866-OUR-VOTE (866-687-8683)**
- Español/English: **1-888-VE-Y-VOTA**
- Asian languages/English: **888-API-VOTE (888-274-8683)**
- Arabic/English: **844-YALLA-US (844-925-5287)**

Report intimidation to your local election officials.

Their offices will be open on Election Day. Voters should also report instances of voter intimidation to the **Pennsylvania Department of State** at **1-877-VOTESPA (1-877-868-3772)**

www.pa.gov/agencies/vote/contact-us/contact-your-election-officials