



Protecting and serving  
all of America's voters  
on Election Day

## Police Officer and Field Supervisor Duties on Election Day

Agency executives should consider the suggestions below for deploying officers in ways that promote a safe and free democratic election. Police officers in the field should also consider these suggestions to help guide their discretionary activities. These suggestions can be used to form the basis of procedures or directives on Election Day.

***None of these suggestions are meant to contradict or take precedence over federal, state, or local laws, or existing agency procedures.***

### Police Officer Procedures and Duties

Officers will likely be required to make critical decisions on Election Day that may alter or shape voters' experiences at the polls and their perceptions of the fairness of the process. The following steps can help officers fulfill their duties while remaining nonpartisan and impartial:

- Monitor polling locations as directed from an unobtrusive distance or location unless an exigency requires a direct response
- Refrain from participating in the election process while on-duty, even if requested (e.g., assist in translation, fill out ballot, move voting machine)
- If assigned to the interior of polling location by a supervisor or as a legal requirement:
  - Position yourself unobtrusively to the voting public so as to avoid the perception of monitoring or assessing the voting process (i.e., do not stand at the facility's entrance, locations where voters confirm they are registered and eligible, where votes are cast, and avoid going "behind the guard rail" of election workers)
  - Abstain from discussing the election, candidates, and/or political issues with anyone in or around the polling location while on duty
- If assigned to a post outside of polling location, monitor the area in vicinity of polling location from a reasonable distance
  - Observe for any illegal activity, electioneering, etc.
    - Seek clarification from supervisors about what constitutes these violations
  - Be cognizant of permitted and un-permitted gatherings; notify and consult with chain of command as necessary
- Remain alert and ready to respond impartially, when needed, stating the reason for your presence and actions whenever possible

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- If questioned, emphasize the police role of maintaining both the physical safety and voting rights of individuals in a fair and impartial manner
- Notify a supervisor of any conditions that arise, including any unavailability of voting machines, ballots, etc., that could cause protest, unrest, or allegations of fraud, etc.
- Notify a supervisor of any police action taken (e.g., warning to a person electioneering, disruptive person in polling location, arrest, etc.)
- Notify your relieving officer of conditions at polling location

#### **Police officers may benefit from guidance from agency leadership regarding:**

- Use of body worn cameras and other recording devices inside of a polling location in the performance of police duty. Officers have a legitimate interest in using such devices to collect evidence as needed but may not want to inadvertently be perceived as surveilling voters
- Enforcement of nonviolent bench warrants and other minor infractions in and around polling locations. Officers have the duty to protect the public from threats to their safety, but the enforcement of minor offenses near polling locations may be perceived as exerting a chilling effect on voting
- The role of plainclothes officers on Election Day, especially in and around polling locations. Plainclothes officers in or near polling locations, if observed to be police as the result of a public inquiry or taking police action, may be inadvertently perceived to be surveilling voters or monitoring the political process

#### **Behaviors of Concern**

In addition to potential issues concerning electioneering and actual violence, officers should be aware that some activity can be perceived as intimidation, harassment, or interference with suffrage. Accordingly, officers should pay attention to persons or groups who:

- Engage in violent or overtly threatening behaviors inside or outside the polling site
- Display firearms in ways that could be seen as interfering with safe access to polling locations
- Disrupt, block, or hinder voting lines
- Block the entrance to the polling place physically or through intimidation
- Follow voters to, from, or within the polling place
- Bring firearms in the polling place contrary to state law or in a way that is overtly threatening
- Engage in verbal threats of violence
- Aggressively approach voters' vehicles or record voters' license plate numbers
- Harass voters by aggressively questioning about eligibility to vote or voting intentions

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## Field Supervision

An agency's field leaders will play a critical role on Election Day by providing direction to officers, accountability to the public, and communication with agency senior leadership. Averting critical incidents will be the primary goal of field supervisors during an election, followed by responding to incidents in a way that limits their severity and restores the public's faith in the democratic process. Supervisors should consider:

- Visiting polling location where officers are assigned on a routine basis (at least hourly) absent exigent circumstances
- Responding to polling location when requested by assigned officer or when aware of incident at or in the vicinity of a polling location or board of elections site
- Directing officers to fairly and impartially maintain order at polling location while minimizing actual or perceived interference with the voting process
- Informing chief/command staff immediately of incidents at or in vicinity of polling locations
- Informing chief/command staff of progress/resolution to incident