

California Department of Justice DIVISION OF LAW ENFORCEMENT Stephen Woolery, Chief 		INFORMATION BULLETIN	
<i>Subject:</i> Law Enforcement Access to Voting Sites (Senate Bill 73 Guidance)	<i>No.</i> 2026-DLE-19	<i>Contact for information:</i> VotingRights@doj.ca.gov	
	<i>Date:</i> 10/27/2026	(See below for full contact info)	

TO: ALL INTERESTED PARTIES

Pursuant to Senate Bill 73, this Information Bulletin provides guidance and information to California elections officials and managers of election sites regarding how to respond to requests by law enforcement to access areas where ballots are cast, handled, processed, counted, tabulated, tallied, audited, or recounted.¹

Provide Immediate Notice of Law Enforcement Investigations

Elections officials and managers of election sites, or their staff or personnel—including precinct boards, election workers, and election volunteers—should immediately contact their county elections official if law enforcement² requests or attempts to access areas where ballots are cast, handled, processed, counted, tabulated, tallied, audited, or recounted. A direct number for contacting the county elections official should be established and provided to those working the election.

County elections officials should immediately contact their county counsel upon receiving notice that law enforcement is requesting or attempting to access these areas. The “local agency, political subdivision, or elections official” must also “provide notice to the Secretary of State and the Attorney General immediately, but no later than one calendar day, after becoming aware of a warrant, subpoena, or active law enforcement investigation pertaining to the search, seizure, or retention of any election records or certified voting technology, or any portion thereof, under their custody or control.”³ Email addresses for this purpose are below.

Law Enforcement Presence at Election Sites

Armed law enforcement is generally barred from election sites under federal and state law. Federal law prohibits any “person in the civil, military, or naval service of the United States” from bringing “any troops or armed men” to “any place where a general or special election is held,” unless “necessary to repel armed

¹ SB 73 took effect May 27, 2026, and is codified at sections 15006, 15007, and 15104 through 19230 of the Elections Code. This Bulletin satisfies the Attorney General’s statutory duties under Section 1 of Senate Bill (SB) 73 (Chapter 10, Statutes of 2026), codified at section 15006, subdivisions (a)–(b) of the Elections Code.

² “Law enforcement” means all of the following: “(1) Any law enforcement agency, department, or other entity of the state or any political subdivision thereof, that employs any peace officer described in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2 of the Penal Code. (2) Any law enforcement agency of another state. (3) Any federal law enforcement agency.” (Cal. Elec. Code §§ 15006, 15553, 19230.)

³ Cal. Elec. Code § 23(b).

enemies of the United States.”⁴ Members of the armed forces may not prevent voting, “attempt[] to impose [election] regulations,” or otherwise “interfere[] in any manner with an election officer’s discharge of his duties.”⁵ And no person, whether acting “under color of law” or otherwise, may intimidate voters.⁶ Under state law, peace officers “shall not interfere in any manner with the administration of any election . . . except as necessary to respond to urgent threats to public health and safety.”⁷

California law also prohibits any uniformed peace officer, private guard, or security personnel (and any person in possession of a firearm) at or in the immediate vicinity of any polling place, though law enforcement officers may be present at election sites when responding to a public safety emergency or when casting their own vote.⁸ However, law enforcement may not arrest any person within 200 feet of a polling place on Election Day during operating hours, “except for a crime related to disrupting the operation of the polling place, a crime against a person, or a crime against property.”⁹ Individuals are likewise prohibited from making arrangements for armed security or law enforcement presence at polling places, with exceptions for security arranged for a routine presence beyond Election Day, pursuant to a court order, or with the written authorization of the local elections official.¹⁰ Finally, individuals are not permitted to wear law enforcement, private security guard, or security personnel uniforms while poll watching.¹¹

These provisions of law do not prohibit law enforcement from providing logistical, transportation, or security support to elections officials, pursuant to a written agreement.¹²

Law Enforcement Access to Election Materials

California law mandates that elections officials follow certain procedures related to the maintenance and preservation of election-related records and infrastructure. Those requirements include secure storage and/or chain of custody requirements for voter registration information,¹³ voting equipment and technology,¹⁴ voted ballots,¹⁵ and other election data, records, and supplies.¹⁶ Subject to narrow exceptions discussed immediately below, the following materials may not be taken from the custody of elections officials: documents that are or will be subject to statutory retention requirements, voting technology or electronic data, or “any other election-related material or equipment necessary for the conduct of an election,” including voted ballots.¹⁷

No individual may “permit an agent of a law enforcement agency to access, disrupt, modify, or take possession of rosters, combined rosters, or voter lists unless authorized by a court order or to investigate a violation of

⁴ 18 U.S.C. § 592.

⁵ 18 U.S.C. § 593.

⁶ 18 U.S.C. § 245(b)(1); 52 U.S.C. 10307(b).

⁷ Cal. Elec. Code § 15007(a).

⁸ Cal. Elec. Code § 18544(a)–(b); *see also* Cal. Pen. Code § 26230(a)(25).

⁹ Cal. Elec. Code § 403; *see also* Cal. Elec. Code § 405.

¹⁰ Cal. Elec. Code § 18545.

¹¹ Cal. Code Regs. tit. 2, § 20875.

¹² Cal. Elec. Code § 19230(b).

¹³ Cal. Elec. Code §§ 2188.2, 2188.3, 2202, 17000.

¹⁴ Cal. Elec. Code § 17603.

¹⁵ Cal. Elec. Code §§ 14277, 15201, 15279, 15370, 15551(d), 17301.

¹⁶ Cal. Elec. Code §§ 15550–15553, 17000–17506, 17301–17306, 17601–17603.

¹⁷ Cal. Elec. Code § 15551(d).

[Elections Code] Section 18560.”¹⁸ Elections Code Section 18560 pertains to fraudulent voting. Likewise, “[a]n individual shall not allow an agent of a law enforcement agency to access, disrupt, modify, or take possession of certified voting technology or a portion thereof unless authorized by a court order.”¹⁹

Search Warrants

To access or search election sites, law enforcement is required to obtain a search warrant, supported by probable cause and approved by a judge.²⁰

As outlined above, upon presentation of a search warrant, elections officials and managers of election sites (or their staff or personnel) should immediately contact their county elections official, who should in turn notify county counsel. Having legal counsel present can facilitate compliance with legal obligations while ensuring that law enforcement does not exceed their authority under the law. Legal counsel may also be able to assist in negotiating arrangements to secure the integrity of voted ballots and other protected materials, including having those materials remain in the custody of elections officials. Notice must also be provided to the Attorney General and Secretary of State.

Elections officials and managers of election sites should try to make note of the lead agent or officer’s contact information and request designation of at least one employee to observe and document search warrant execution. With law enforcement permission, the observer should take detailed notes, photograph, or video record, and remain in a position to view law enforcement without interfering with execution. Should law enforcement deny the request, the observer should try to note that name of the agent who declined the request.

Elections officials and managers of election sites must not obstruct a search pursuant to a warrant or other court order, including interfering with law enforcement agents, blocking access, or hiding materials. They are not, however, obligated to answer any questions posed by law enforcement, submit to interviews, or provide any information other than to enable access to, and permit seizure of, materials covered by a warrant. If law enforcement accesses locations or seizes materials beyond the scope of the search warrant, the observer should document what is happening to the best of their ability.

After the execution of the warrant is complete, law enforcement should provide an inventory of items seized, and authorized staff or personnel may photograph or video record the areas searched, preserve security footage, and otherwise take steps to secure remaining records, in accordance with applicable law.

Other Resources

In addition to the resources in this Bulletin, readers may also want to review other recent guidance issued by the Attorney General and Secretary of State:

¹⁸ Cal. Elec. Code § 15553(a).

¹⁹ Cal. Elec. Code § 19230(b).

²⁰ State court judges may not authorize law enforcement to take custody of protected elections materials except pursuant to narrow statutory exceptions applicable to voter rosters and voting technology. Cal. Elec. Code §§ 15551, 15553, 19230; *Cervantes v. Bianco*, No. S296866, 2026 WL 28719525 at *6–8 (Cal. Sep. 24, 2026), <https://www4.courts.ca.gov/opinions/documents/S295866.PDF>.

- [Protecting California Voters and Election Workers on Election Day and Early Voting, 2026-DLE-20;](#)
- [Access to Voting for Eligible Persons with a Criminal History or Who are Incarcerated, 2026-DLE-17;](#)
- [Access to Voting for Eligible Persons Under the Supervision of Probation Departments, 2026-DLE-18;](#)
- [Consumer Alert on the Spread of Election Misinformation, Oct. 27, 2026;](#)
- [Legal Alert: Guidance Regarding Seizure of Election Materials Pursuant to Criminal Search Warrants, OAG 2026-03;](#)
- [Urgency Legislation: Signing of Senate Bill 1418, and Assembly Bills 282 and 1664;](#)
- [Urgency Legislation: Signing of Senate Bill 884;](#)
- [General Election: Voter Intimidation; Prohibited Voter Challenges;](#)
- [General Election: Prohibitions on Electioneering and the Corruption of the Voting Process;](#)
- [General Election: Unauthorized Ballot Drop Boxes and Ballot Return Requirements;](#) and
- [Regulations: Election Observations Rights and Responsibilities.](#)

The California Supreme Court recently issued opinions and orders related to the Riverside County Sheriff's seizure of ballots, which are available online at:

- [Cervantes v. Bianco](#)
- [Bonta v. Bianco](#)

Contact Information

Notice of any active law enforcement investigation pertaining to election materials may be given to:

Attorney General's Office: AB1664_Notices@doj.ca.gov

Secretary of State's Office: legalsupport@sos.ca.gov (please include the subject line "AB 1664 Notice")

If you have further questions, please contact:

VotingRights@doj.ca.gov

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California Secretary of State
Legal Affairs Unit
(916) 695-1242