California Department of Justice DIVISION OF LAW ENFORCEMENT Stephen Woolery, Chief	**INFORMATION BULLETIN**	
Subject: **Protecting California Voters and Election Workers on Election Day and Early Voting**	*No.* 2026-DLE-20 *Date:* 10/26/2026	*Contact for information:* Stephen Woolery, Chief Division of Law Enforcement (916) 210-6300

TO: ALL CALIFORNIA LAW ENFORCEMENT AGENCIES

This bulletin serves as a reminder of relevant laws that you may be called upon to address during early voting and through Election Day on November 3, 2026. Ballot drop boxes are available beginning October 5, 2026. Vote centers open for early in-person voting beginning October 24, 2026.

This bulletin discusses California state laws (1) prohibiting criminal threats and violence against public officers and employees, (2) prohibiting election interference and voter intimidation, (3) governing the possession of firearms at polling locations, and (4) concerning poll watchers.[1] Law enforcement officers should be aware of these state statutes as they relate to the protection of voters and election workers in California.

Peace officers should also be mindful that, when responding to any situation at a polling place, weapons can inadvertently intimidate voters.

In addition to the resources in this bulletin, law enforcement may also want to review recent guidance issued by the Secretary of State:

- General Election: Voter Intimidation; Prohibited Voter Challenges;
- General Election: Prohibitions on Electioneering and the Corruption of the Voting Process;
- Unauthorized Ballot Drop Boxes and Ballot Return Requirements;
- General Election: Cameras at Polling Locations; and
- Election observers.

LAWS PROHIBITING CRIMINAL THREATS, BRIBERY, EXTORTION, AND VIOLENCE AGAINST PUBLIC OFFICERS AND EMPLOYEES

With elections workers increasingly facing violent threats and harassment for simply carrying out their official duties, this bulletin serves as a reminder that there are a number of relevant laws that you may utilize to ensure the protection and safety of elections workers during early voting and through Election Day.
The following acts are criminal offenses under California law:

[1] There may be additional federal laws or local ordinances that also protect voters from election interference and intimidation that are not discussed in this bulletin.

- To, by means of any threat or violence, deter or prevent any public officer or employee from performing any duty imposed upon them by law.[2] (Pen. Code, §§ 69, 71.)
- To willfully threaten to cause another person great bodily injury or death. (Pen. Code, § 422.)[3]
- To bribe or attempt to bribe a public officer or employee, including elections officials and their staff, temporary workers, and poll workers. (Pen. Code, §§ 67, 67.5; Elec. Code, § 18502, subd. (b).)
- To obtain or attempt to obtain property or other consideration from another, with his or her consent, or obtain an official act of a public officer, induced by a wrongful use of force or fear. (Pen. Code, §§ 518–523.) Fear constituting criminal extortion may be induced, for example, by a threat to do an unlawful injury to the person or their property. (Pen. Code, § 519.)
- Assault and/or battery of another person. (Pen. Code, §§ 240–243.)

LAWS PROHIBITING ELECTION INTERFERENCE AND INTIMIDATION

Election Interference

Interference with elections officials or voters: An individual may not interfere with an elections official[4] administering an election[5] or with voters lawfully exercising their voting rights.[6] Any person who in any manner interferes with elections officials or voters exercising their voting rights is guilty of a felony. (Elec. Code, § 18502, subd. (a).)

Interference with voting machines/systems: Any person who, before or during an election, tampers with, interferes with, or attempts to interfere with, the correct operation of, or willfully damages in order to prevent the use of, any voting machine, voting device, voting system, vote tabulating device, or ballot tally software program source codes is guilty of a felony. (Elec. Code, § 18564, subd. (a).)

Interference with ballot collection: It is a criminal offense to interfere with ballot collection by:

- Aiding in changing or destroying any poll list or official ballot;

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[2] The fact that a person takes a photograph or makes an audio or video recording of an official while the official is in a public place or the person taking the photograph or making the recording is in a place he or she has the right to be, is not alone a criminal offense. (Pen. Code, § 69, subd. (b).)

[3] Senate Bill 239, filed with the Secretary of State on September 20, 2026, amends Section 422 to authorize courts to consider, as an aggravating factor, that the defendant willfully threatened to commit a crime that would result in the death or great bodily injury of an elections official of a city, county, city and county, or public district, or an elected local agency official. This change will take effect January 1, 2027.

[4] An elections official includes, but is not limited to, the Secretary of State as the chief elections officer, and their staff, as it relates to performance of any of their duties related to administering the provisions of the Elections Code, and elections officials and their staff, including temporary workers and poll workers, and members of a precinct board, in their performance of any duty related to assisting with holding an election or conducting a canvass. (Elec. Code, § 18502, subd. (b).)

[5] Including, but not limited to, the counting of ballots and the election observation process. (Elec. Code, § 18502, subd. (c).)

[6] Including, but not limited to, voting in person at a polling place or at the office of the elections official, including satellite locations, and voting by mail and returning a voted ballot. (Elec. Code, § 18502, subd. (d).)

- Aiding in wrongfully placing any ballots in the ballot container or in taking any therefrom;
- Adding or attempting to add any ballots to those legally polled at any election by fraudulently putting them into the ballot container, either before or after the ballots therein have been counted;
- Adding to or mixing with, or attempting to add to or mix with, the ballots polled, any other ballots, while they are being counted or canvassed or at any other time, with intent to change the result of the election, or allowing another to do so;
- Carrying away or destroying, attempting to carry away or destroy, or knowingly allowing another to carry away or destroy, any poll list, ballot container, or ballots lawfully polled;
- Willfully detaining, mutilating, or destroying any election returns;
- Removing any unvoted ballots from the polling place before the completion of the ballot count;
- Displaying a container or providing an envelope for the purpose of collecting ballots, with the intent to deceive a voter into casting a ballot in an unofficial ballot box or returning a ballot in an unofficial ballot return envelope; or
- Directing or soliciting a voter to place a ballot in an unofficial ballot box or unofficial ballot return envelope.

(Elec. Code, § 18568.)[7]

Below are some examples of election interference described in California law and written advisories issued by the California Secretary of State that law enforcement may be called upon to address during early voting or on Election Day:[8]

- Blocking access to voting locations.
- Disrupting the process of opening or closing polling stations.
- Disrupting the process of counting ballots.
- Damaging voting devices or ballot drop-off boxes.
- Deceiving a voter to cast a ballot in an unofficial ballot box.

Voter Intimidation and Dissuasion

Voter intimidation encompasses conduct that is intended to compel voters to not vote or vote against their preferences through activity that is reasonably calculated to instill fear.[9] Voter intimidation is prohibited at any election; violation of this section is a felony. (Elec. Code, § 18540.)

Threats or the use of any force, violence, or tactic of coercion or intimidation to prevent a voter from casting

[7] See also, e.g., California Secretary of State, County Clerk/Registrar of Voters (CC/ROV) Memorandum # 26260, "General Election: Unauthorized Ballot Drop Boxes and Ballot Return Requirements" (Sept. 25, 2026), <https://elections.cdn.sos.ca.gov/ccrov/2026/september/26260rd.pdf>.

[8] See Elec. Code, §§ 18502, 18564; see also, e.g., California Secretary of State, CC/ROV Memorandum # 26257, "General Election: Voter Intimidation; Prohibited Voter Challenges," (Sept. 24, 2026), <https://elections.cdn.sos.ca.gov/ccrov/2026/september/26257ra.pdf>.

[9] U.S. Dept. of Justice, Federal Prosecution of Election Offenses Eighth Edition (Dec. 2017), p. 52 (discussing 18 U.S.C. § 594).

their ballot—whether voting in person at a polling place or at the office of the elections official, including satellite locations, or when voting by mail and returning a ballot—is a felony. (Elec. Code, § 18540, subds. (a), (c).) Similarly, threats or the use of any force, violence, or tactic of coercion or intimidation to cause a voter to change their vote for a particular candidate or measure on the ballot, or because a person voted or refrained from voting at any election or for a particular person or measure is a felony. (Elec. Code, § 18540, subd. (a).) Any person who hires or arranges for someone else to use or threaten to use force, violence, or other tactics of coercion or intimidation to affect a voter's right to vote is also committing a felony. (Elec. Code, § 18540, subd. (b).)

Voter Dissuasion and Electioneering within 100 Feet of a Curbside Voting Area or Election Locations

In addition to the general prohibitions against voter intimidation, there are specific restrictions on voter dissuasion and electioneering within 100 feet of (1) an outdoor site, including a curbside voting area, at which a voter may cast or drop off a ballot, or (2) the entrance to a building that contains a polling place, an elections official's office, or a satellite location.

Dissuasion: It is unlawful to do the following within 100 feet of the above-referenced locations with the intent to dissuade a voter from casting their ballot:

- Soliciting a vote or speaking to a voter about marking their ballot;
- Posting signs about voter qualifications;
- Speaking to a voter about their qualifications (except for certain challenges by precinct board members);
- Recording voters with photo/video technology as they enter or exit the polling place;[10] or
- Obstructing ingress, egress, or parking.

(Elec. Code, § 18541, subds. (a) and (b).)

Violations of this section may be charged as a felony. (Elec. Code, § 18541, subd. (d).)

Electioneering: It is unlawful to visibly display or audibly disseminate information that advocates for or against any candidate or measure on the ballot within 100 feet of the above-referenced locations. (Elec. Code, § 319.5.) A county board of supervisors may expand the prohibition on electioneering to up to 200 feet of either the entrance to a building that contains a polling place, elections official's office, or satellite location or an outdoor site, including a curbside voting area, at which a voter may cast or drop off a ballot. (Elec. Code, § 404.)

Electioneering includes, but is not limited to:

- Display of a candidate's name, likeness, or logo;
- Display of a ballot measure's number, title, subject, or logo;

[10] For more information on the use of cameras at polling locations, see, e.g., California Secretary of State, CC/ROV Memorandum # 26238, "General Election: Cameras at Polling Locations" (Sept. 10, 2026), <https://elections.cdn.sos.ca.gov/ccrov/2026/september/26238ra.pdf >.

- Display of buttons, hats, pencils, pens, shirts, signs, or stickers containing information about a candidate or measure on the ballot;
- Dissemination of audible information about a candidate or measure on the ballot;
- Obstructing access to, loitering near, or disseminating visible or audible information about a candidate or measure on the ballot at a polling place or mail ballot drop box; and
- Circulating an initiative, referendum, or other petition. (Elec. Code, §§ 319.5, 18370.)

Clothing: While the display of a candidate's name, likeness, or logo on voters' clothing—such as a hat, t-shirt or button—constitutes electioneering prohibited under the law, the display of a political movement or campaign slogan on clothing—without inclusion of the name, likeness, or logo of a candidate—does not constitute electioneering.[11] Examples of campaign slogans or political movement slogans that are not prohibited include, but are not limited to: Make America Great Again (MAGA), Black Lives Matter (BLM), Together We Win, California Strong, Vote for Science, and Make America Healthy Again (MAHA).[12]

Similarly, it is unlawful to, with the intent of dissuading another person from voting, do any of the following within the immediate vicinity of a voter in line to cast a ballot or drop off a ballot: (1) solicit a vote; (2) speak to a voter about marking the voter's ballot; or (3) disseminate visible or audible electioneering information. (Elec. Code, § 18541, subd. (c).) Violations of this section may be charged as a felony. (Elec. Code § 18541, subd. (d).)

Examples of Voter Intimidation

Below are some examples of intimidation described in California law and written advisories issued by the California Secretary of State that law enforcement may be called upon to address during early voting or on Election Day:[13]

- Threatening to engage in criminal action against voters.
- Presenting false information about the voting process or voter eligibility requirements, including:
    - Informing prospective voters that the ability to speak English is an eligibility requirement to vote;
    - Informing voters that they need to present certain types of photo identification in order to vote; or
    - Informing voters that there could be criminal consequences for voting (e.g., that voting rolls will be used for debt collection purposes, to undertake arrest warrant checks, etc.).
- Harassing or threatening behavior toward voters based on a person's race, ethnicity, or gender identity.

[11] See, e.g., California Secretary of State, CC/ROV Memorandum # 26234, "General Election: Prohibitions on Electioneering and the Corruption of the Voting Process" (Sept. 9, 2026), <https://elections.cdn.sos.ca.gov/ccrov/2026/september/26234rd.pdf>.

[12] See, e.g., California Secretary of State, CC/ROV Memorandum # 26234, "General Election: Prohibitions on Electioneering and the Corruption of the Voting Process" (Sept. 9, 2026), p. 2, <https://elections.cdn.sos.ca.gov/ccrov/2026/september/26234rd.pdf>.

[13] See Elec. Code, §§ 14240, subd. (b), 18370, 18540, 18541; Civ. Code, §§ 51, subd. (b), 51.7, subd. (b); see also, e.g., California Secretary of State, CC/ROV Memorandum # 26257, "General Election: Voter Intimidation; Prohibited Voter Challenges" (Sept. 24, 2026), pp. 1–3, <https://elections.cdn.sos.ca.gov/ccrov/2026/september/26257ra.pdf>.

- Aggressively questioning voters about their citizenship, criminal record, or other qualifications to vote.
- Engaging in assault, battery, verbal threats of violence or physical violence, or brandishing of weapons.
- Photographing or recording a voter entering or exiting a polling place, or intentionally obstructing entrance, exit, or parking at a voting site.
- Attempting to ascertain how a voter voted on their ballot.

Voter intimidation is illegal no matter where it occurs–whether near a polling place, in the 100-foot zone where electioneering activities are prohibited, or elsewhere.

WEAPONS AND SECURITY PERSONNEL PRESENCE AT POLLING PLACES

California law prohibits any person, including a person with a concealed weapon license, from possessing a firearm at or in the immediate vicinity[14] of a polling place, voting center, precinct, or other area or location where votes are being cast or cast ballots are being returned or counted, or the streets or sidewalks immediately adjacent to any of these locations. (Elec. Code, § 18544, subd. (a); Pen. Code, § 26230, subd. (a)(25).) This restriction applies to anyone in these locations regardless of whether such persons are voting, or acting as poll watchers, or lingering inside or outside of these locations. Peace officers[15] conducting official business (e.g., responding to a public safety emergency) or casting their own vote while on duty are permitted to possess a firearm at a polling place. (Elec. Code, § 18544, subd. (b).)

Additionally, any person, including any uniformed peace officer, private guard, or security personnel, in possession of a firearm may neither be stationed in the immediate vicinity of nor posted at a polling place without written authorization from the city or county elections official. (Elec. Code, § 18544, subd. (a).)[16]

Anyone who violates section 18544 may be charged with a felony and held criminally liable for voter intimidation. (Elec. Code, § 18544, subd. (a).) The law also prohibits hiring or arranging someone else—including peace officers and federal law enforcement officers—to do the same. (Elec. Code, §§ 18544, subd. (a), 18545.)

Only five types of individuals are exempt from this law:

- Unarmed, uniformed guards or security personnel who are at the polling place to cast their vote.
- Peace officers, as defined under state law, engaging in official business in their capacity as peace officers.
- Peace officers who are there to cast their vote.

[14] "Immediate vicinity" refers to the area within 100 feet of the room or rooms in which the voters are signing the roster and casting ballots. (Elec. Code, § 18546, subd. (b).)

[15] As defined under Penal Code § 830 *et seq.* "Peace officer" does not include "[f]ederal criminal investigators and law enforcement officers," with certain exceptions. (Pen. Code, § 830.8.)

[16] This requirement does not apply to law enforcement responding to a specific incident at a polling place.

- Private guards or security personnel hired or arranged for by elections officials, as long as neither the Secretary of State nor the Attorney General objected to that authorization, in writing, after it was granted.
- Private guards or security personnel hired or arranged for by the owner or manager of the polling place location who were not hired solely for Election Day.

(Elec. Code, § 18544, subd. (b)(1)–(5).)

Peace officers "shall not interfere in any manner with the administration of any election in this state and in the discharge of duties by the Secretary of State, a county elections official, an election worker, or a volunteer performing required elections-related tasks prescribed by this code or any other provision of state law except as necessary to respond to urgent threats to public health and safety." (Elec. Code, § 15007.)

Moreover, a law enforcement officer shall 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. (Elec. Code, § 403; *see also* Elec. Code, § 405.)

POLL WATCHING

Observation of election proceedings in polling locations is permissible, but only poll workers and voters engaged in voting may be within the voting booth area when the polls are open. (Elec. Code, § 14221.)

Restricting access to the voting booth area protects a voter's right to cast a secret ballot free from intimidation. (Elec. Code, § 2300, subd. (a)(4).)

Poll watchers (also called poll observers) are individuals who observe the elections and canvassing process.

Anyone may observe the election process. (Elec. Code, § 2300 subd. (a)(9)(A).) Nonetheless, there may be limitations on the number of poll watchers who may observe at any given time, since poll watchers must adhere to any health and safety provisions in place in the county in which the observation occurs[17] and because the Secretary of State has advised county elections officials to take all possible steps to ensure the safety of workers and voters.[18]

What are poll watchers permitted to do?

Poll watchers are observers of elections proceedings. They must not interfere with the elections process.

They are permitted to take notes and use electronic devices, including smartphones and tablets, as long as such devices are not used to record voters or interfere with the elections process or otherwise violate any other provision of the Elections Code. (Elec. Code, § 2302.)

[17] See, e.g., California Secretary of State, County Clerk/Registrar of Voters (CC/ROV) Memorandum # 24057, "Regulations: Election Observations Rights and Responsibilities" (Feb. 29, 2024), <https://elections.cdn.sos.ca.gov/ccrov/2024/february/24057ra.pdf>.

[18] See, e.g., California Secretary of State, County Clerk/Registrar of Voters (CC/ROV) Memorandum # 26119, "Publication: Updated 2026 Poll Worker Training Standards" (May 1 2026), p. 3, <https://elections.cdn.sos.ca.gov/ccrov/2026/may/26119ra.pdf>.

Observation of elections proceedings includes the right to ask poll workers questions about elections procedures and to receive an answer or be directed to the appropriate official for an answer. (Elec. Code, § 2300, subd. (a)(9).)

However, if a poll watcher's persistent questioning disrupts the poll workers' duties, the poll workers can stop responding and direct the poll watcher to the county elections office for further answers. While poll watchers may undertake the above activities, they are not part of the official elections team and may not act as an elections officer. (Elec. Code, § 18575.) Unlawfully acting as an elections officer is a felony. (*Ibid.*)

What is prohibited behavior of poll watchers?

Poll watchers cannot interfere with the elections process or intimidate voters. (Elec. Code, §§ 18502, 18540, 18541, 18543, 18564.) Interference may be caused by, for example, talking loudly on a cellular telephone, by persistently questioning poll workers in a manner that disrupts the execution of their duties, by sitting at official worktables or tables reserved for provisional voters, and by standing unreasonably close to poll workers while they are performing their duties.[19]

Poll watchers are not permitted to communicate with voters in line to cast a ballot or drop off a ballot, or within 100 feet of an outdoor site, including a curbside voting area, at which a voter may cast or drop off a ballot, the entrance to a building that contains a polling place, an elections official's office, or a satellite location, in order to encourage voters to vote any particular way or discourage them from voting, or otherwise speak to a voter on the subject of marking the voter's ballot; to question a voter's qualifications; or to take photographs or video record voters as they enter or exit the polling place. (Elec. Code, § 18541.) Moreover, poll watchers are not allowed to display or audibly disseminate information that advocates for or against any candidate or measure on the ballot. (Elec. Code, §§ 18370, 18541.) Prohibited poll watcher advocacy includes, but is not limited to, the display of a candidate's name, likeness, or logo; the number, title, subject, or logo of a ballot measure; and the use of buttons, hats, pencils, shirts, signs, or stickers containing candidate or ballot measure information. (Elec. Code, §§ 319.5, 18370.)

Poll watchers are not permitted to challenge or question any person concerning their qualifications to vote. (Elec. Code, § 14240, subd. (b).) Poll watchers also may not "fraudulently advise" voters that they are not eligible to vote or that they are not registered when the voter is, in fact, registered and eligible. (Elec. Code, § 18543.) Only a member of a precinct board may challenge a voter's qualifications to vote within the polling place, and the challenge must be based upon the limited grounds expressly set forth in Elections Code section 14240, subdivision (a). (Elec. Code, § 14240; see also Elec. Code, § 18543.)

Poll watchers are not permitted to engage in the elections process or attempt to ascertain the identity or ballot choices of any voter. It is a criminal offense for a member of the public to willfully engage in attempting to ascertain the identity and/or ballot choices of a voter while observing the processing of vote by mail ballots, the semifinal official canvass, the official canvass, or a recount. (Elec. Code, § 18562.5.)

Finally, individuals are not permitted to wear peace officer, private security guard, or security personnel

[19] See, e.g., California Secretary of State, County Clerk/Registrar of Voters (CC/ROV) Memorandum # 24057, "Regulations: Election Observations Rights and Responsibilities" (Feb. 29, 2024), <https://elections.cdn.sos.ca.gov/ccrov/2024/february/24057ra.pdf>.

uniforms while poll watching.[20] Violations of these provisions may lead to criminal liability.

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[20] Cal. Code Regs. tit. 2, § 20875; see also, California Secretary of State, County Clerk/Registrar of Voters (CC/ROV) Memorandum # 24057, "Regulations: Election Observations Rights and Responsibilities" (Feb. 29, 2024), <https://elections.cdn.sos.ca.gov/ccrov/2024/february/24057ra.pdf>.