



Training Bulletin

SANTA BARBARA POLICE DEPARTMENT



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Vol. 2026 No. 003

October 27, 2026

Election Security, Voter Intimidation, and Polling Locations

PURPOSE

This Training Bulletin provides guidance to sworn personnel responding to incidents involving polling locations, election workers, voter intimidation, election interference, and election-related demonstrations. Officers shall enforce applicable laws impartially while respecting lawful political expression and the right to vote.

VOTER INTIMIDATION AND ELECTION INTERFERENCE

Elections Code section 18540 prohibits using or threatening force, violence, coercion, or intimidation to prevent voting, influence a vote, or retaliate for voting or refraining from voting. Violations are felonies.

Elections Code section 18502 prohibits interference with election officials performing their duties or voters exercising voting rights. Violations are felonies. Other potentially applicable offenses include criminal threats (422 PC), threats or force directed at public officers (69, 71 PC), assault, and battery (240–243 PC).

Examples of conduct requiring investigation:

- 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.

100-FOOT RESTRICTIONS AT VOTING LOCATIONS

Elections Code section 18541 prohibits specified conduct within 100 feet of a polling-place entrance or designated outdoor voting/ballot-return location when done with intent to dissuade a person from voting. This includes recording voters entering or exiting, questioning voter qualifications, discussing ballot marking, and obstructing ingress, egress, or parking. Violations may be charged as felonies.

Electioneering restrictions also prohibit certain candidate or measure related displays, solicitation, and petition circulation within designated areas (Elections Code sections 319.5, 18370). Officers should distinguish prohibited electioneering from lawful political speech. Recording in public, without the required criminal elements, is not automatically unlawful.

FIREARMS AND POLICE PRESENCE

Elections Code section 18544 generally prohibits firearms at or in the immediate vicinity of voting locations, including adjacent streets and sidewalks. California peace officers responding to specific incidents or conducting official business are exempt. Armed personnel generally may not be stationed or posted at polling places without written authorization from the appropriate elections official; responding to a specific incident does not require that authorization.

Federal law enforcement officers are not automatically California peace officers for purposes of these exemptions (830.8 PC). Notify a supervisor when armed personnel appear to be stationed at a voting location. Officers should avoid an unnecessarily prolonged presence that could potentially intimidate voters.

POLL WATCHERS AND OBSERVERS

Members of the public may observe election proceedings and generally may take notes, use electronic devices, and ask procedural questions, provided they do not interfere with operations (Elections Code sections 2300, 2302). Observers may not intimidate voters, improperly challenge voter eligibility, interfere with election workers, or enter restricted voting areas. Observation alone is not a crime.

OFFICER AND SUPERVISOR RESPONSIBILITIES

Responding Officer

- Determine the reported conduct, location, intent, and whether the elements of an offense are present.
- Preserve lawful expression and election observation; avoid enforcement based solely on recording.
- Coordinate with election officials as needed to establish voting-site boundaries and operational impacts.
- Document all responses to polling places, ballot return locations, or calls related to interference with election officials on a General Offense report. The report should document all threats, witness statements, distance from restricted areas, available recordings, and enforcement decisions.

Field Supervisor

- Respond to significant election-related disturbances or allegations involving armed or uniformed personnel.
- Ensure an impartial response, appropriate resources, and complete documentation.

SAFETY REMINDER

The Department's role is to protect voters and election workers, maintain public safety, and enforce applicable laws without influencing the election process. Evaluate each incident based on specific conduct and statutory elements. When uncertainty exists, consult a supervisor before taking enforcement action when feasible.