

# 2022 ELECTION VIRGINIA LAW ENFORCEMENT QUICK REFERENCE GUIDE



This pocket reference guide contains key penal provisions found within the Virginia Elections Code, §24.1-604 through §24.2-1016.

- ▶ Loitering or campaigning within 40 feet of an entrance of a polling location is a misdemeanor.
- ▶ Bribery, intimidation, coercion or other means of hindering or preventing an officer of election from holding an election at a polling location is a felony.
- ▶ Intimidating, threatening and coercing any person in giving his vote or deterring or preventing him from voting is a misdemeanor.

## VOTING HOURS

### Election Day

Tuesday, November 8  
6 a.m. to 7 p.m.

### Early Voting

Begins Friday, September 23, at  
your local registrar's office

## REPORT SUSPICIOUS BEHAVIOR TO

### Virginia Department of Elections

804-864-8901  
info@elections.virginia.gov

### Your Local Election Official

## Prohibited activities

Code of Virginia § 24.2-604(A)

During the times the polls are open and ballots are being counted, or within one hour of opening or after closing, it is unlawful for any person to:

- ▶ Loiter or congregate within 40 feet of any entrance of any polling place;
- ▶ Within such distance, to give, tender, or exhibit any ballot, ticket, or other campaign material to any person or to solicit or in any manner attempt to influence any person in casting his vote;
- ▶ Hinder or delay a qualified voter in entering or leaving a polling place; or
- ▶ Knowingly possess any firearm as defined in § 18.2-308.2:2 within 40 feet of any building, or part thereof, used as a polling place.
  - » *This prohibition shall not apply to any law-enforcement officer, retired law-enforcement officer qualified pursuant to subsection C of § 18.2-308.016; person occupying his own private property that falls within 40 feet of a polling place; or any licensed armed security officer whose employment or performance of his duties occurs within 40 feet of any building, or part thereof, used as a polling place. (Code of Virginia § 24.2-604(F))*

*Any person violating these prohibitions is guilty of a Class 1 misdemeanor.*

## Activities prohibited inside polling place

Code of Virginia § 24.2-604(C)

It is unlawful for any authorized representative of a party or candidate permitted in the polling place, any voter, or any other person in the room to (i) hinder or delay a qualified voter; (ii) give, tender, or exhibit any ballot, ticket, or other campaign material to any person; (iii) solicit or in any manner attempt to influence any person in casting his vote; (iv) hinder or delay any officer of election; (v) be in a position to see the marked ballot of any other voter; or (vi) otherwise impede the orderly conduct of the election.

*Any person violating this prohibition is guilty of a Class 1 misdemeanor.*

## **Loudspeakers prohibited at polls**

Code of Virginia § 24.2-605

Except for school purposes or in an emergency, no loudspeaker shall be used within 300 feet of a polling place on an election day.

*Any person violating this prohibition is guilty of a Class 4 misdemeanor.*

## **Prohibited conduct; intimidation of voters; disturbance of election**

Code of Virginia § 24.2-607

It shall be unlawful for any person to hinder, intimidate, or interfere with any qualified voter so as to prevent the voter from casting a secret ballot. The officers of election may order any such person to cease such action. If such person does not promptly desist, the officers of election, or a majority of them, may order the arrest of such person by any person authorized by law to make arrests, and, by their warrant, may commit such person to the county or city jail, as the case may be, for a period not exceeding twenty-four hours.

*Any person violating this prohibition is guilty of a Class 4 misdemeanor.*

No person shall conduct himself in a noisy or riotous manner at or about the polls so as to disturb the election or insult or abuse an officer of election. Any person authorized to make arrests may arrest any person engaging in such conduct and bring him before the officers of the election, and they may commit him to the county or city jail, as the case may be, for a period not exceeding twenty-four hours; but they shall permit him to vote if he is so entitled.

## **Intimidation of election officers**

Code of Virginia § 24.2-1000

Any person who, by bribery, intimidation, threats, coercion, or other means in violation of the election laws willfully hinders or prevents, or attempts to hinder or prevent, the officers of election at any polling place, voter satellite office, or other location being used by a locality for voting purposes from holding an election is guilty of a Class 5 felony.

## **Intimidation of voters**

Code of Virginia § 24.2-1005(A)

Any person who intimidates, threatens, or coerces, or attempts to intimidate, threaten, or coerce, any other person in giving his vote or ballot or to deter or prevent him from voting is guilty of a Class 1 misdemeanor.

## **Interference with voting - Deception** Code of Virginia § 24.2-1005.2

Any person who furnishes a ballot to a person who he knows cannot understand the language in which the ballot is printed and misinforms him as to the content of the ballot with an intent to deceive him and induce him to vote contrary to his desire is guilty of a Class 1 misdemeanor.

## **Interference with voting - Changing Ballot** Code of Virginia § 24.2-1005.2

Any person who changes a ballot of a person to prevent the person from voting as he desires is guilty of a Class 1 misdemeanor.

## **Advice or assistance in casting ballot** Code of Virginia § 24.2-1006

Unless such person has been designated by a voter to provide assistance in accordance with Section 24.2-649 of the Code of Virginia, no person shall directly or indirectly advise or assist any voter as to how he shall cast his ballot after the voter has entered the area of the polling place designated as a prohibited area.

*Any person violating this prohibition is guilty of a Class 1 misdemeanor.*

## **Bribery**

Code of Virginia § 24.2-1007

No person shall solicit or accept directly or indirectly any money or any thing of value to influence his or another's vote in any election.

*Any person violating the provisions of this section shall be guilty of a Class 1 misdemeanor.*

**Stealing or tampering with ballot containers, voting equipment or records** Code of Virginia § 24.2-1009

Any person who steals or willfully, fraudulently, or wrongfully tampers with any part of any ballot container, voting or registration equipment, records, or documents, which are used in any way within the registration or election process shall be guilty of a Class 5 felony.

**Stealing or tampering with software or hardware used to collect and disseminate election returns** Code of Virginia § 24.2-1009

Any person who steals or willfully, fraudulently, or wrongfully tampers with the software used to prepare and operate voting equipment or the software or hardware used to collect and disseminate election returns shall be guilty of a Class 5 felony.

**Stealing or tampering with electronic voting equipment activation or storage device** Code of Virginia § 24.2-1009

Any person who steals or willfully, fraudulently, or wrongfully tampers with an electronic activation device or electronic data storage medium of the type used to prepare, operate or back up electronic voting equipment shall be guilty of a Class 5 felony.

**Tampering with electronic transmission of election returns** Code of Virginia § 24.2-1009

Any person who willfully, fraudulently, or wrongfully tampers with the electronic transmission of election returns or the posting of returns on the Internet shall be guilty of a Class 5 felony.

## **Ballot not to be carried away**

Code of Virginia § 24.2-1011

Any person who carries an official ballot or copy thereof beyond or away from the voting booth, except to the officers of election, or votes any ballot except the ballot received from the officers of election, shall be guilty of a Class 1 misdemeanor.

## **Conspiracy against rights of voters**

Code of Virginia § 24.2-1015

If two or more persons conspire to injure, oppress, threaten, intimidate, prevent, or hinder any citizen of this Commonwealth in the free exercise or enjoyment of any right or privilege secured under the provisions of Title 24.2 (Elections) of the Code of Virginia, or because of his having so exercised such right, they shall be guilty of a Class 5 felony.

## **False statements**

Code of Virginia § 24.2-1016

Any willfully false material statement or entry made by any person in any statement, form, or report required by Title 24.2 (Elections) of the Code of Virginia is a crime of election fraud and be punishable as a Class 5 felony.



Committee for

**SAFE AND SECURE  
ELECTIONS**

