

# PENNSYLVANIA

## LAW ENFORCEMENT

### QUICK REFERENCE GUIDE

This pocket reference guide contains key penal provisions found within Title 25 of the Pennsylvania Statutes and Consolidated Statutes.

- Intimidating or threatening voters, whether directly or indirectly, is a misdemeanor.
- Threatening an election officer or interfering with their duties is a felony.
- No police officer shall be within one hundred feet of a polling place during the conduct of any primary or election unless called upon to preserve the peace.

#### VOTING HOURS

**Election Day**  
7 a.m. to 8 p.m.

#### ELECTION DATES

**2023 General Election** – November 7  
**2024 General Election** – November 5

For more information about upcoming elections: <https://www.vote.pa.gov/About-Elections/Pages/Upcoming-Elections.aspx>

#### REPORT SUSPICIOUS BEHAVIOR TO

**Pennsylvania Department of State:**  
1-877-VOTESPA (1-877-868-3772)

Your local election official: <https://www.vote.pa.gov/Resources/Pages/Contact-Your-Election-Officials.aspx>

For more information: <https://www.vote.pa.gov/Your-Rights/Pages/Voter-Intimidation.aspx>



## **Prohibiting intimidation of voters and interference with free exercise of voting**

25 P.S. §3547

Any person or corporation who, directly or indirectly--

- (a) uses or threatens to use any force, violence or restraint, or inflicts or threatens to inflict any injury, damage, harm or loss, or in any other manner practices intimidation or coercion upon or against any person... or
- (b) by abduction, duress or coercion, or any forcible or fraudulent device or contrivance, whatever, impedes, prevents, or otherwise interferes with the free exercise of the elective franchise by any voter, or compels, induces, or prevails upon any voter to give or refrain from giving his vote for or against any particular person at any election, shall be guilty of a misdemeanor of the second degree.

## **Interference with primaries and elections**

25 P.S. § 3527

If any person shall prevent or attempt to prevent any election officers from holding any primary or election, under the provisions of this act, or shall use or threaten any violence to any such officer; or shall interrupt or improperly interfere with him in the execution of his duty; or shall block up or attempt to block up the avenue to the door of any polling place; or shall use or practice any intimidation, threats, force or violence with design to influence unduly or overawe any elector, or to prevent him from voting or restrain his freedom of choice; or shall prepare or present to any election officer a fraudulent voter's certificate not signed in the polling place by the elector whose certificate it purports to be; or shall deposit fraudulent ballots in the ballot box; or shall register fraudulent votes upon any voting machine; or shall tamper with any district register, voting check list, numbered lists of voters, ballot box or voting machine; or shall conspire with others to commit any of the offenses herein mentioned, or in any manner to prevent a free and fair primary or election, he shall be guilty of a felony of the third degree, and, upon conviction thereof, shall be sentenced to pay a fine not exceeding fifteen thousand (\$15,000) dollars, or to undergo an imprisonment of not more than seven (7) years, or both, in the discretion of the court.

## **Refusal to permit election officers, clerks and machine inspectors to act**

25 P.S. § 3508

Any person, including any election officer, who shall refuse to permit any election officer, clerk or machine inspector, duly elected or appointed and authorized to act, to perform the duties imposed on him or to act as permitted by this act; or who shall by violence or intimidation threaten or drive away, any such election officer, clerk or machine inspector or who shall, in any manner, prevent any such election officer, clerk or machine inspector from performing his rights and duties under this act, shall be guilty of a misdemeanor.

## **Assault and battery at polls**

25 P.S. § 3529

Any person who shall unlawfully strike, wound or commit an assault and battery upon the person of any elector at or near the polling place during the time of any primary or election, shall be guilty of a misdemeanor of the first degree.

## **Regulations in force at polling places**

25 P.S. § 3060

Any person or corporation who, directly or indirectly--

- (a) Until the polls are closed, no person shall be allowed in the polling place outside of the enclosed space at any primary or election, except the watchers, voters not exceeding ten at any one time who are awaiting their turn to vote, and peace officers, when necessary for the preservation of the peace. ...
- (c) No person, when within the polling place, shall electioneer or solicit votes for any political party, political body or candidate, nor shall any written or printed matter be posted up within the said room, except as required by this act.
- (d) All persons, except election officers, clerks, machine inspectors, overseers, watchers, persons in the course of voting, persons lawfully giving assistance to voters, and peace and police officers, when permitted by the provisions of this act, must remain at least ten (10) feet distant from the polling place during the progress of the voting.

- (f) It shall be the duty of the judge of election to secure the observance of the provision of this section, to keep order in the voting room, and to see that no more persons are admitted within the enclosed space than are permitted by this act. The judge of election may call upon any constable, deputy constable, police officer or other peace officer to aid him in the performance of his duties under this section.

**Peace officers; no police officer to be within one hundred feet of polling place**

25 P.S. 53047

The election officers, or any three qualified electors of any election district, may call upon any mayor, chief burgess, sheriff, deputy sheriff, constable, deputy constable, or police officer, to clear an avenue to the door of any polling place which is obstructed in such a way as to prevent electors from approaching, or to maintain order and quell any disturbance, if such arises. No police officer in commission, whether in uniform or in citizen's clothes, shall be within one hundred feet of a polling place during the conduct of any primary or election, unless in the exercise of his privilege of voting, or for the purpose of serving warrants, or unless called upon to preserve the peace, as provided by this act. Provided, however, That such prohibition shall not apply to such police officers assigned to a police station or headquarters located in a building or on the premises where the polling place is located and such police officers must be within one hundred (100) feet of the polling place to enter and exit such police station or headquarters: And provided further, That in no event may any police officer unlawfully use or practice any intimidation, threats, force or violence nor, in any manner, unduly influence or overawe any elector or prevent him from voting or restrain his freedom of choice...

## **Peace officer; failure to quell disturbances at polls; hindering election officers**

25 P.S. § 3521

Any mayor, chief burgess, sheriff, deputy sheriff, constable, deputy constable, police officer or other peace officer who shall neglect or refuse to clear an avenue to the door of any polling place which is obstructed in such a way as to prevent electors from approaching, or who shall neglect or refuse to maintain order and quell any disturbance if such arises at any polling place upon the day of any primary or election, when called upon so to do by any election officer or any three qualified electors of the election district, or who shall wilfully hinder or delay, or attempt to hinder or delay, any judge, inspector or clerk of election, machine inspector or overseer in the performance of any duty under this act, shall be guilty of a misdemeanor.

## **Tampering with voting machines**

25 P.S. § 3518

Any election officer or other person who shall unlawfully open or who shall tamper with or injure or attempt to injure any voting machine to be used or being used at any primary or election, or who shall prevent or attempt to prevent the correct operation of such machine, or any unauthorized person who shall make or have in his possession a key to a voting machine to be used or being used in any primary or election, shall be guilty of a misdemeanor of the second degree.

## **Prohibited activities by election officers**

25 P.S. §3525

Any judge, inspector or clerk of election or machine inspector who shall be guilty of any wilful fraud in the conduct of his duties at a primary or election, and any person who shall make a false return of the votes cast at any primary or election, or who shall deposit fraudulent ballots in the ballot box or certify as correct a return of ballots in the ballot box which he knows to be fraudulent, or who shall register fraudulent votes upon any voting machine or certify as correct a return of votes cast upon any voting machine which

he knows to be fraudulently registered thereon, or who shall make any false entries in the district register, or who shall fail to insert in the voting check list the voter's certificate of any elector actually voting at any primary or election, or who shall fail to record voting information as required herein, or who shall fail to insert in the numbered lists of voters the name of any person actually voting, or who shall wilfully destroy or alter any ballot, voter's certificate, or registration card contained in any district register, or who shall wilfully tamper with any voting machine, or who shall prepare or insert in the voting check list any false voter's certificates not prepared by or for an elector actually voting at such primary or election, for the purpose of concealing the destruction or removal of any voter's certificate, or for the purpose of concealing the deposit of fraudulent ballots in the ballot box, or the registering of fraudulent votes upon any voting machine or of aiding in the perpetration of any such fraud, or who shall fail to return to the county board of election following any primary or election any keys of a voting machine, ballot box, general or duplicate return sheet, tally paper, oaths of election officers, affidavits of electors and others, record of assisted voters, numbered list of voters, district register, voting check list, unused, spoiled and cancelled ballots, ballots deposited, written or affixed in or upon a voting machine, or any certificate, or any other paper or record required to be returned under the provisions of this act; or who shall conspire with others to commit any of the offenses herein mentioned, or in any manner to prevent a free and fair primary or election, shall be guilty of a felony of the third degree.

## **Removing ballots**

25 P.S. § 3536

Any person removing any ballot from any book of official ballots, except in the manner provided by this act, shall be guilty of a misdemeanor of the second degree.

## **Wilful failure to perform duty**

25 P.S. § 3548

Any Secretary of the Commonwealth, member of a county board of elections, chief clerk, employee, overseer, judge of election, inspector of election, clerk of election, machine inspector or custodian or deputy custodian of voting machines on whom a duty is laid by this act who shall wilfully neglect or refuse to perform his duty, shall be guilty of a misdemeanor.

## **Election officers permitting unregistered electors to vote; refusing qualified electors to vote**

25 P.S. § 3523

Any judge or inspector of election who permits any person to vote at any primary or election who is not registered in accordance with law, except a person in actual military service or a person as to whom a court of competent jurisdiction has ordered that he shall be permitted to vote, or who permits any registered elector to vote knowing that such registered elector is not qualified to vote, whether or not such person has been challenged, or who permits any person who has been lawfully challenged to vote at any primary or election without requiring the proof of the right of such person to vote which is required by law, or who refuses to permit any duly registered and qualified elector to vote at any primary or election, with the knowledge that such elector is entitled to vote, shall be guilty of a felony of the third degree.

## **Refusal to permit watchers, attorneys or candidates to act**

25 P.S. § 3506

Any member of a county board of elections, judge of election or inspector of election who shall refuse to permit any overseer or watcher, attorney or candidate to be present, as authorized by this act, at any session of a county board, computation and canvassing of returns of any primary or election, recount of ballots or recanvass of voting machines, as authorized by this act, or at any polling place during the time the polls are open at any primary or election, and after the close of the polls during the time the ballots are counted or voting machine canvassed and until the returns of such primary or election have been made up and signed, shall be guilty of a misdemeanor.



Committee for  
**SAFE AND SECURE  
ELECTIONS**

