

# RHODE ISLAND 2024 LAW ENFORCEMENT QUICK REFERENCE GUIDE

This pocket reference guide contains key penal provisions found within Title 11 and Title 17 of the Rhode Island General Laws, Section 410 of the Rhode Island Code, and other relevant sections.

- Willfully threatening the life of or harm upon a public official or their family related to their public role is a felony.
- Threatening or intimidating an elector related to their exercise of their vote is a felony.
- Willfully hindering the orderly conduct of any election is a felony.

## **VOTING HOURS**

7 a.m. to 8 p.m.  
*Polls open later in New Shoreham*

## **2024 ELECTION DATES**

**Presidential Preference Primary:** April 2  
**Statewide Primary:** September 10  
**General Election:** November 5  
**For upcoming election dates:**  
[elections.ri.gov/elections/  
upcoming-elections](https://elections.ri.gov/elections/upcoming-elections)

## **REPORT SUSPICIOUS BEHAVIOR TO**

**Your local election official:**  
[elections.ri.gov/about/local-  
boards-canvassers](https://elections.ri.gov/about/local-boards-canvassers)  
**Board of Elections:** 401-222-2345 or  
[boe.elections@elections.ri.gov](mailto:boe.elections@elections.ri.gov)  
**Attorney General:** 401-243-2355  
**For more information:**  
[vote.sos.ri.gov/Voter/VoterRights](https://vote.sos.ri.gov/Voter/VoterRights)



## Definitions.

410 R.I. Code R. § 410-RICR-20-00-12.3

"Election official" shall include the Board of Elections and its designees, the Local Canvassing Authority and its designees, including but not limited to, Moderator/Wardens, Clerks and Supervisors.

"Supervisors" shall be assigned by the Warden/Moderator in bipartisan pairs at the Polling Place and shall be in charge of the voting list and shall announce the voter's name and certify his or her identity before permitting the person to enter the Railed or Enclosed Voting Area. The Warden/Moderator may also assign additional duties to the Supervisors such as the oversight of and assistance to voters while they are in and about the voting booths.

"Wardens" or "Moderators" shall have general supervisory powers at each Polling Place and shall be responsible for supervising the overall orderly and efficient conduct at the Polling Place and shall ensure compliance with the elections laws and regulations governing polling place conduct, including the casting of ballots.

## Threats to public officials.

R.I. Gen. Laws § 11-42-4

(a) Whoever knowingly and willfully delivers or conveys, directly or indirectly, a verbal or written threat to take the life of, or to inflict bodily harm upon, a public official or a member of his or her immediate family because of the performance or nonperformance of some public duty; because of hostility of the person making the threat toward the status or position of the public official; or because of some other factor related to the official's public existence, shall be guilty of a felony and shall be imprisoned for not more than five (5) years, or fined not more than five thousand dollars (\$5,000), or both.

(b) For purposes of this section:

(1) "Public official" means a person who is elected or appointed to office in accordance with the constitution, a statute, or a city or town charter, or who is a judge, magistrate, assistant attorney

general, special assistant attorney general, or law enforcement officer, or in the case of an elective office, any person who has filed the required documents for nomination or election to that office or who is appointed by the governor to serve as the director or his or her designee of a state department that is established and the qualifications and duties of which are prescribed by statute to discharge a public duty for the state of Rhode Island;

(2) "Immediate family" means a public official's spouse, child, or children.

### **Bribery or intimidation of voters — Immunity of witnesses in bribery trials.**

R.I. Gen. Laws § 17-23-5

Every person who directly or indirectly gives, or offers to agree to give, to any elector or to any person for the benefit of any elector, any sum of money or other valuable consideration for the purpose of inducing the elector to give in or withhold that elector's vote at any election in this state, or by way of reward for having voted or withheld that elector's vote, or who uses any threat or employs any means of intimidation for the purpose of influencing the elector to vote or withhold that elector's vote for or against any candidate or candidates or proposition pending at an election, shall be guilty of a felony, and no person after conviction of this offense, shall be permitted to vote in any election or upon any proposition pending before the people, or to hold any public office; and no evidence given by any witness testifying upon the trial of any charge of bribery shall be used against the person giving the evidence.

### **Wardens and supervisors — Powers and duties.**

R.I. Gen. Laws § 17-19-23

The wardens shall:

- (1) Have general supervision of the voting place;
- (8) As far as consistent with their other duties, station themselves

at the entrance to the polling area and prevent any person from entering the designated voting area, except under the authority of this chapter, and prevent any person from entering that area for the purpose of voting until that person's name has been announced and that person's identity certified according to law by the supervisors in charge of the voting list, and shall prevent any voter from departing the enclosed space while in possession of his or her computer ballot. A notice shall be provided by the state board and posted in a conspicuous place advising that it is a felony for a voter to leave the enclosed area while in possession of his or her ballot. The voter has the option of casting his or her ballot or surrendering the ballot to the warden whereby it will be marked void;

(g) Cause to be removed or arrested any person or official who commits a violation of the election law in their presence or disturbs the conduct of the voting; provided, that they shall not cause any removal or arrest without the approval of the election inspector, unless the clerk agrees with the wardens that the person or official should be arrested or removed;

### **Violations with respect to elections.**

R.I. Gen. Laws § 17-23-17

(a) Any person is guilty of a felony who:

- (4) Votes or attempts to vote at any election when he or she knows or should know that he or she is not qualified to vote;
- (5) Votes or attempts to vote more than once at any election, or votes or attempts to vote in more than one political party's primary on the same day;
- (6) Votes or attempts to vote at any election under the name of any other person;
- (7) Willfully hinders the orderly conduct of any election;
- (8) Gives a false answer to any election official relative to his or her right to vote at the election;
- (9) Aids or abets a person not entitled to vote at any election

in voting or attempting to vote under a name other than the voter's name or in voting twice upon the voter's name;

(10) Willfully alters or makes any change, erasure, or additional check upon the voting list used or to be used at any election; or

(11) Willfully violates any provisions of chapters 12 — 15 of this title for which violation a specific penalty is not provided.

(c) Any public officer or officer of a political party who willfully violates any of the provisions of chapters 12 — 15 of this title, or refuses or willfully neglects and omits to perform, in the manner and within the time prescribed, any duty imposed upon the officer by these chapters, or suffers or permits any alteration, erasure, or additional check to be made upon a voting list in the officer's custody or control, shall be guilty of a felony.

### **Arrangement of polling places — Election officials — Police officers.**

R.I. Gen. Laws § 17-19-21

(a) The polling places shall be established, equipped, and furnished with the paraphernalia necessary for the conduct of each election, by the officers and in the manner provided by this title. There shall be placed, outside each polling place, a clearly marked sign to be provided by the state board of elections indicating the location of the polling place. This sign shall be of a conspicuous nature and shall be visible from the street. The area within which the balloting is conducted shall be arranged with a guard rail having one place for entrance and another place for exit. The rail shall be placed so that only persons admitted inside the rail can approach within five (5) feet of any voting booth or optical-scan precinct-count unit.

The voting booths and optical-scan precinct-count unit shall be placed so that the warden and the clerk shall always have a clear view of the front of each voting booth and the optical-scan unit. It shall be the duty of the warden to direct the location of the voting equipment in relation to the guard rail and the posts of the warden and the clerk so as to enforce the requirements of this section.

(b) One bipartisan pair of supervisors, the clerk, and the warden

shall be stationed, in that order, along the guard rail so that a voter desiring to cast a ballot will pass first in front of the bipartisan pair, then in front of the clerk, and finally in front of the warden. A second bipartisan pair shall be stationed within the guard rail and shall be available to relieve the first bipartisan pair or the clerk and to assist voters within the limits prescribed by this title. The second bipartisan pair, when not engaged in the preceding duties, shall watch the voters in and about the voting equipment and shall call to the attention of the warden any violation, or circumstance suggesting a violation, of the provisions of this title.

(c) The chiefs of police of cities and towns, and town sergeants of towns having no chief of police, shall detail a certain number of police officers to each polling place as may be requested by the local board. The police officers shall preserve order at each polling place and within two hundred feet (200) of the polling place. It shall be the duty of every police officer or other peace officer or town or police constable to arrest without warrant any person detected in the act of violating the provisions of this chapter, but no arrest shall be made without the approval of the warden.

(d) The election officials provided in subsections (a) and (b) of this section shall be provided with, and shall be required to prominently display upon their persons, identification badges that shall designate that person as an election official. Powers and duties of all designated election officials at polls shall be posted in a conspicuous and prominent location within the voting place, preferably with the posted sample ballot.

### **Political literature and influence.**

R.I. Gen. Laws § 17-19-49

No poster, paper, circular, or other document designed or tending to aid, injure, or defeat any candidate for public office or any political party on any question submitted to the voters shall be distributed or displayed within the voting place or within fifty (50) feet of the entrance or entrances to the building in which voting is conducted at any primary or election. Neither shall any election official display

on his or her person within the voting place any political party button, badge, or other device tending to aid, injure, or defeat the candidacy of any person for public office or any question submitted to the voters or to intimidate or influence the voters.

### **Time of closing of polls.**

R.I. Gen. Laws § 17-18-11

Elective meetings in all cities and towns shall be continuously kept open for voting until 8 p.m.; provided, that any qualified voter who is waiting in line to vote at 8 p.m. shall be entitled to cast his or her vote. When all persons entitled to vote have been afforded a reasonable opportunity to do so, the polls shall be closed.

### **Uniform deadlines.**

R.I. Gen. Laws § 17-1-7

Notwithstanding any other time specified for the filing of any paper or the doing of any act pursuant to this title, a uniform deadline of 4:00 p.m. is established; provided, that applications for emergency mail ballots must be received by 4:00 p.m. on the day prior to an election or primary. If any filing deadline falls on a Saturday, Sunday, or holiday, the deadline shall be construed to fall on the next subsequent business day; provided, that this does not apply to registration to vote thirty (30) days prior to an election or primary, or change of party designation thirty (30) days prior to an election or primary under the requirements of § 17-9.1-24..

### **Tampering with voting equipment.**

R.I. Gen. Laws § 17-19-42

Any person, not being an election or primary [election] officer or person upon whom a duty is imposed by this chapter, who, while any voting equipment is being made ready for an election or primary, or is in use during an election or primary, tampers with, disarranges, defaces, injures, or impairs the voting equipment in any manner, or mutilates, injures, destroys, or disarranges any computer ballot, or any other appliance used in connection with the voting equipment, shall be guilty of a felony.

## **Fraudulent election returns.**

R.I. Gen. Laws § 17-19-45

Any election or primary officer who, at the close of the polls, purposely causes the vote registered by any optical scan precinct count unit or related voting equipment to be incorrectly recorded or returned as to any candidate, person, or question, or who knowingly consents to these things, or any of them, being done, shall be guilty of a felony.

## **Violations by public officers generally.**

R.I. Gen. Laws § 17-23-10

Any public officer, upon whom a duty is imposed by this title, who willfully neglects to perform his or her duty, or who performs it in a way that hinders the objects of this title, shall be guilty of a misdemeanor.

## **Open Elections.**

410-RICR-20-00-12.4

The public may be present in the polling place to observe the conduct of an election. Only voters and election officials are allowed in the Railed or Enclosed Voting Area. No person(s) may willfully hinder the orderly conduct of an election.

## **Polling Place Conduct.**

410-RICR-20-00-12.6

### **A. Political Literature and Influence**

#### **1. Outside the Polling Place**

a. No person - other than a person in the act of voting - shall be allowed to display or distribute any poster, paper, circular, campaign or political party button, badge or other document or item designed or tending to aid, injure, or defeat any candidate for public office or any political party on any question submitted to the voters within fifty (50) feet of the entrance or entrances to the Polling Place.

b. No person shall conduct any form of poll or survey of voter opinion or voter conduct within a Polling Place or within fifty (50) feet from the entrance or entrances to any Polling Place.



## 2. Inside the Polling Place

a. No person - other than a voter in the act of voting - may display or wear any campaign or political party button, badge or other document or item designed or tending to aid, injure or defeat any candidate for public office or any political party or any question submitted to the voters within the Polling Place. Any voter displaying or wearing any political literature who has completed the voting process must immediately exit the polling location without unreasonable delay. No activity that is intended to interfere with a person's right to vote, shall be permitted within a Polling Place.

### B. Electronic Recording Devices in the Polling Place

Electronic recording of the election process is allowed inside the polling place as long as it is done outside of the Railed or Enclosed Voting Area. Electronic recording devices may not hinder the election process or compromise a voter's right to cast a secret ballot. The electronic recording of specific votes(s) cast by another person is prohibited.

### C. Talking on Cellular Telephones and other Communications Devices.

Only election officials conducting official election business are allowed to verbally communicate on a cell phone or other communication device within the Polling Place. All other communications being made to persons outside the Polling Place must be done nonverbally to ensure the orderly conduct of the Election.

### D. Challenges

Only the Watchers and Election Officials are allowed to challenge the right to vote of any person offering himself or herself as a voter. All challenges must be made for good cause. Whenever the identity of any person offering to vote is challenged at the Polling Place, that person shall only be permitted to vote using a provisional ballot as defined by R.I. Gen. Laws § 17-19-24.1.

## E. Bake Sales

Bake sales may be held in a building designated as a Polling Place and that is under the supervision of the Warden/Moderator, during any primary or election for the election of any candidate, write-in candidate, party or ballot question. Bake sales shall not be allowed within the Railed Enclosed Voting Area or in any part of the building that the Warden/Moderator reasonably believes will cause a disruption or interference in the orderly administration of the voting process. Such activity will only be permitted within the area expressly designated by the Warden/Moderator for such activity. Sponsors of proposed bake sales must first seek and obtain permission to hold the bake sale event from the appropriate local board of canvassers. All requests for bake sales must be submitted in writing to the local board of canvassers no later than seven (7) days prior to the date for the primary or election. Bake sales shall be permitted as long as such conduct does not interfere with the orderly conduct of the election, as determined by the Warden/Moderator.

### **Procedures for Maintaining Order at the Polling Place.**

410-RICR-20-00-12.7

A. A Warden/Moderator may cause to be removed or arrested any person or official who commits a violation of the election law in their presence or disturbs the conduct of the voting, including any conduct that is designed to discourage a person from exercising his/her right to vote; provided, that they shall not cause any removal or arrest without the approval of the election inspector, unless the clerk agrees with the Warden/Moderator that the person or official should be arrested or removed (R.I. Gen. Laws § 17-19-23(9)). Either the Warden/Moderator or the Clerk may in their discretion issue a warning to a person(s) whose acts are disturbing the conduct of the voting.

B. If a person believes that an Election Official is violating state

election laws he/she may contact their Local Canvassing Authority or the State Board of Elections to file a complaint.

### **Priority for elderly voters.**

R.I. Gen. Laws § 17-19-51

At each polling place, one voting booth shall be designated for priority use by electors over sixty-five (65) years of age. These electors, once they have complied with the requirements of § 17-19-24, shall, upon request, be permitted to vote immediately in the designated voting booth. Other voters below the age of sixty-five (65) years may use the designated voting booth when there are no voters above that age waiting to vote.

### **Priority for disabled voters.**

R.I. Gen. Laws § 17-19-52

Whenever a voter appears at a polling place and that voter has: (1) an obvious medical disability which, in the opinion of the warden, would cause the voter to experience severe discomfort by standing in line, or (2) a certificate from a licensed physician or Christian Science practitioner attesting that the voter has a disability which makes his or her standing in line inadvisable, then that voter may be allowed a priority position for complying with requirements of § 17-19-24 and in each polling place one voting booth shall be designated for priority use by these electors. Other voters may use the voting booth when there are no disabled voters waiting to vote.

### **Voter accompanied by children within voting booth.**

R.I. Gen. Laws § 17-19-53

Nothing contained in the general laws of Rhode Island shall prevent a voter from being accompanied by a child or children who are under the age of eighteen (18) years while the voter is within the voting booth area, provided that the child or children are under the voter's care and supervision.

### **Guarding optical scan precinct count units until resumption of custody by board.**

R.I. Gen. Laws § 17-19-35

Under orders of the local board, a police officer shall remain at the voting place until the board, personally or by a custodian, resumes custody of the optical scan precinct count units and voting booths.

### **Tampering with sample ballot.**

R.I. Gen. Laws § 17-19-43

Every person who willfully and without lawful authority destroys, secretes, removes, defaces, alters, tampers, or meddles with a sample ballot, shall be guilty of a felony.

### **Sound equipment.**

R.I. Gen. Laws § 17-23-13

No sound equipment advocating the election or defeat of any candidate or the approval or disapproval of any referenda shall be allowed within five hundred (500) feet of any polling place.

