

NEW JERSEY 2024 LAW ENFORCEMENT QUICK REFERENCE GUIDE



This pocket reference guide contains key penal provisions found within Titles 19 and 2C of the New Jersey Statutes.

- Knowingly and willfully intimidating or threatening voters relating to their exercise of voting rights is a crime of the second degree.
- Interfering with voting or obstructing a voter or the polling place is a crime of the third degree.
- Threatening harm to any public servant to influence them to violate their official duty or influence their decision is a crime of the third degree.

VOTING HOURS

6 a.m. to 8 p.m.

2024 ELECTION DATES

Primary Election: June 4

General Election: November 5

For upcoming election dates:
nj.gov/state/elections/vote.shtml

REPORT SUSPICIOUS BEHAVIOR TO

Your local election official:
state.nj.us/state/elections/vote-county-election-officials.shtml

NJ Department of State:
1-877-NJ-VOTER (1-877-658-6837)

For more information:
nj.gov/state/elections/vote.shtml

43. a. Any person, other than an election official, who:

(1) knowingly and willfully intimidates, threatens or coerces, or attempts to intimidate, threaten or coerce, any person for registering to vote, voting or attempting to register to vote or vote, urging or aiding any person to register to vote, to vote or to attempt to register or vote or exercising any right under the provisions of P.L.1994, c.182 (C.19:31-6.11 et al.); or

(2) knowingly and willfully deprives, defrauds or attempts to deprive or defraud the residents of this State of a fair and impartially conducted election by the procurement or submission of voter registration applications that are known by the person to be materially false, fictitious or fraudulent under the provisions of Title 19 of the Revised Statutes or the procurement, casting or tabulation of ballots that are known by the person to be materially false, fictitious or fraudulent under the provisions of Title 19 of the Revised Statutes, is guilty of a crime of the second degree.

b. Any election official who:

(1) knowingly and willfully intimidates, threatens or coerces, or attempts to intimidate, threaten or coerce, any person for registering to vote, voting or attempting to register to vote or vote, urging or aiding any person to register to vote, to vote or to attempt to register or vote, or exercising any right under the provisions of P.L.1994, c.182 (C.19:31-6.11 et al.); or

(2) knowingly and willfully deprives, defrauds or attempts to deprive or defraud the residents of this State of a fair and impartially conducted election by the procurement or submission of voter registration applications that are known by the election official to be materially false, fictitious or fraudulent under the provisions of Title 19 of the Revised Statutes or the procurement, casting or tabulation of ballots that are known by the election official to be materially false, fictitious or fraudulent under the provisions of Title 19 of the Revised Statutes, is guilty

of a crime of the second degree and, in addition to any other penalties provided under the law, shall be permanently barred from serving as an election official.

c. As used in this section, "election official" shall include, but not be limited to, any superintendent or deputy superintendent of elections, commissioner of registration, member of a county board of elections, county clerk, municipal clerk, member of a district board of elections, member of a board of county canvassers and member of a board of State canvassers.

Prohibited actions in polling place on election day. N.J. Stat. § 19:34-6

a. If a person shall on election day tamper, deface or interfere with any polling booth or obstruct the entrance to any polling place, or obstruct or interfere with any voter, or loiter in or near the polling place, or, with the purpose to obstruct or interfere with any voter or to unduly delay other voters from voting, spend an inordinate amount of time in the polling booth, or do any electioneering within any polling place or within one hundred feet thereof, he shall be guilty of a crime of the third degree.

Interference with conduct of election. N.J. Stat. § 19:34-5

No person shall, during an election, with intent to hinder or delay same, or to hinder or delay any voter in the preparation of his ballot, remove or destroy any of the ballots or pencils placed in the booths or compartments for the purpose of enabling the voter to prepare his ballot.

Any person willfully violating any of the provisions of this section shall be guilty of a disorderly persons offense.

Obstructing or interfering with voter. N.J. Stat. § 19:34-29

No person shall by abduction, duress or any forcible or fraudulent device or contrivance whatever, impede, prevent or otherwise interfere with the free exercise of the elective

franchise by any voter; or compel, induce or prevail upon any voter either to vote or refrain from voting at any election, or to vote or refrain from voting for any particular person or persons at any election.

Electioneering within or about polling place; disorderly persons offense.

N.J. Stat. § 19:34-15

If a person shall distribute or display any circular or printed matter or offer any suggestion or solicit any support for any candidate, party or public question within the polling place or room or within a distance of 100 feet of the outside entrance to such polling place or room, or within 100 feet of a ballot drop box in use during the conduct of an election, the person shall be guilty of a disorderly persons offense

Prohibited areas, carrying, firearms, destructive device.

N.J. Stat. § 2C:58-4.6

Places where the carrying of a firearm or destructive device is prohibited

a. Except as otherwise provided in this section and in the case of a brief, incidental entry onto property, which shall be deemed a de minimis infraction within the contemplation of N.J.S.2C:2-11, it shall be a crime of the third degree for any person, other than a person lawfully carrying a firearm within the authorized scope of an exemption set forth in N.J.S.2C:39-6, to knowingly carry a firearm as defined in subsection f. of N.J.S.2C:39-1 and a crime of the second degree to knowingly possess a destructive device as defined in subsection c. of N.J.S.2C:39-1 in any of the following places, including in or upon any part of the buildings, grounds, or parking area of:

(5) a location being used as a polling place during the conduct of an election and places used for the storage or tabulation of ballots;

[N.J.S.2C:39-6 exempts members of New Jersey state and local law enforcement and Federal law enforcement officers and members of the military from this prohibition if the weapons are lawful and carrying such weapons is authorized by the relevant authorities.]

Constabulary powers of members; police assistance.

N.J. Stat. § 19:6-15

a. The district boards of every election district shall preserve the peace and maintain good order in their respective polling places during the progress of all elections and the counting of the votes cast thereat. To that end, each member of every such board, during the progress of an election and the counting and canvassing of the votes, shall be and hereby is invested and charged with all the powers and duties of constables of this State in criminal matters.

b. Such election board, or any members thereof, shall not request the authorities of any municipality, county, or the State, or the body or officer having charge and direction of the police force in such municipality, county, or the State, to detail one or more police officers to assist in preserving the peace and good order in and about such polling place, and no such request shall be complied with by the body or officer to whom the same is made.

c. The election board or the superintendent of elections in the county in which an election is held may contact a law enforcement agency if information is obtained prior to or during the election that in the judgment of the election board or superintendent of elections should be communicated to a law enforcement agency.

d. Nothing in this section shall be construed to prohibit any activity otherwise permitted under R.S.19:6-16 [relating to Police assigned to district boards in municipalities, below].

Police assigned to district boards in municipalities.

N.J. Stat. § 19:6-16.

a. The commission, committee, board or official having charge of the police department in any county or municipality shall not assign police officers to any district board in that county or municipality, in order to enforce the election laws, maintain order, peace and quiet during the hours of registry and election, assist the board by performing the duties of a board member, or serve at the polling place of that district board, or in order to perform other routine purposes related to the conduct of elections, except that a district board, superintendent of elections, or a county clerk may request that a police officer or sheriff's officer be assigned to transport specific election materials to a polling place or from a polling place to the district board or county clerk and a police officer or sheriff's officer may be assigned for that purpose. The commission, committee, board or official having charge of the police department in any county or municipality may assign one or more police officers to a senior residential center that has reported a threat or safety concern, and any such officer assigned to a senior residential center shall not interfere with any person present at the location for the purpose of voting.

b. Nothing in subsection a. of this section, subsection b. of R.S.19:6-15, or subsection b. of section 2 of P.L.1991, c.306 (C.19:6-15.1) shall be construed to prohibit the dispatch, detail, or assignment of a police officer or other law enforcement officer due to a request for assistance made to the commission, committee, board, body, authority, or official having charge of the police department in any county or municipality, or to any other law enforcement agency, for assistance with regard to a specific emergency, allegation of criminal conduct, or disturbance that exists at the time the request for assistance is made. The police officers or law

enforcement officers responding to the request for assistance shall take any prompt actions as may be available and as may be necessary in order to address the emergency, allegation, or disturbance and ensure the continued orderly conduct of the election and election processes, and shall remain present at that location during the conduct of the election only as long as necessary to investigate, address, and remove that specific emergency or disturbance.

The district board shall promptly notify the county board of elections or superintendent of elections, as appropriate, of the dispatch of any police officer or other law enforcement officer in response to a request for assistance in accordance with this subsection. The county board of elections or superintendent of elections, as appropriate, shall promptly notify the Secretary of State of the dispatch of that police officer or other law enforcement officer. The Secretary of State, county boards of elections, and superintendents of elections shall maintain a record of all dispatches issued and reported pursuant to this section, which shall include, but need not be limited to, the time of the dispatch, polling place location, reason for the dispatch, name of the police or law enforcement officer, the police or law enforcement officer's badge number, the duration of the police or law enforcement officer's presence, and the immediate outcome of the dispatch. Information obtained pursuant to this section is deemed to be a public or government record and shall be subject to disclosure as provided in the public records law, P.L.1963, c.73 (C.47:1A-1 et seq.)

Uniforms and exposed weapons forbidden; penalty.

N.J. Stat. § 19:6-15.1

2. a. No person who is employed as a police officer, either full-time or part-time, by the State or an instrumentality thereof, or by a political subdivision of the State or an instrumentality thereof, including a person appointed as a police officer by an institution

of higher education pursuant to P.L.1970, c.211 (C.18A:6-4.2 et seq.), shall serve as a member of a district board of elections, unless the person is off-duty, or serve as a duly authorized challenger for a political party or a candidate or on a public question in the municipality in which that person is employed, or if employed by an institution of higher education, any municipality in which the institution is physically located, or if employed by a county or the State, in the county in which that person is employed or stationed, respectively, or wear a police officer's uniform or carry an exposed weapon at any time, including at a polling place on an election day. Nothing in this subsection shall be construed to prohibit a police officer who is a candidate for an office and whose name appears upon the ballot to be voted for an election from acting as a challenger during that election as may be permitted by another provision of law for a candidate to act as a challenger.

b. No person employed as a police officer as described in subsection a. of this section, whether on or off-duty or whether in or out of uniform, shall remain or stand within 100 feet of a polling place during the conduct of an election unless present at the location in response to a request for assistance in accordance with R.S.19:6-16 or as otherwise provided herein or pursuant to this act, P.L.2021 c.459.

c. Nothing herein shall be interpreted to prohibit a police officer or law enforcement officer from:

traveling to and from, or remaining within, their personal residence if that residence is within 100 feet of a polling place; voting at that polling place in a personal capacity; or escorting to or from, or both, a polling place a person who may require assistance of the officer.

Threats and other improper influence in official and political matters.

N.J. Stat § 2C:27-3

a. Offenses defined. A person commits an offense if he directly or indirectly:

(1) Threatens unlawful harm to any person with purpose to influence a decision, opinion, recommendation, vote or exercise of discretion of a public servant, party official or voter on any public issue or in any public election; or

(2) Threatens harm to any public servant with purpose to influence a decision, opinion, recommendation, vote or exercise of discretion in a judicial or administrative proceeding; or

(3) Threatens harm to any public servant or party official with purpose to influence him to violate his official duty.

It is no defense to prosecution under this section that a person whom the actor sought to influence was not qualified to act in the desired way, whether because he had not yet assumed office or lacked jurisdiction, or for any other reason.

b. Grading. An offense under this section is a crime of the third degree.

Definitions.

N.J. Stat § 2C:27-1

In chapters 27 through 30, unless a different meaning plainly is required:

b. "Government" includes any branch, subdivision or agency of the government of the State or any locality within it;

g. "Public servant" means any officer or employee of government, including legislators and judges, and any person participating as juror, advisor, consultant or otherwise, in performing a governmental function, but the term does not include witnesses;

h. "Administrative proceeding" means any proceeding, other than a judicial proceeding, the outcome of which is required to be based on a record or documentation prescribed by law, or in which law or regulation is particularized in application to individuals;

Obstructing Administration of Law or Other Governmental Function.

N.J. Stat § 2C:29-1

a. A person commits an offense if he purposely obstructs, impairs or perverts the administration of law or other governmental function or prevents or attempts to prevent a public servant from lawfully performing an official function by means of flight, intimidation, force, violence, or physical interference or obstacle, or by means of any independently unlawful act. This section does not apply to failure to perform a legal duty other than an official duty, or any other means of avoiding compliance with law without affirmative interference with governmental functions.

b. An offense under this section is a crime of the fourth degree if the actor obstructs the detection or investigation of a crime or the prosecution of a person for a crime, otherwise it is a disorderly persons offense.

Early voting.

N.J. Stat. § 19:15A-1

e. The restrictions governing the conduct of voters at a polling place on the days that early voting occurs, the procedures governing who is permitted in a polling place on such occasions and the prohibition on electioneering within 100 feet of a polling place during an election, shall be as provided in chapters 15, 34, 50 and 52 of Title 19 of the Revised Statutes and every other applicable section of this Title.

Removal of persons from polling places.

N.J. Stat. § 19:32-25

The superintendent, his chief deputy and assistants are hereby authorized and empowered to remove from any polling place or place where any election is being held any person found violating any provision of this title or in any way unlawfully interfering with the lawful conduct of any election.

Fraudulent voting; interference with election or canvass; third degree crime.

N.J. Stat. § 19:34-11

Every person not entitled to vote who fraudulently votes, and every person who votes more than once at any one election; or knowingly hands in two or more ballots folded together; or changes any ballot after it has been deposited in the ballot box; or adds, or attempts to add, any ballot to those legally polled at any election, either by fraudulently introducing the same into the ballot box before or after the ballots therein have been counted; or adds to or mixes with, or attempts to add to or mix with, the ballots lawfully polled, other ballots while the same are being counted or canvassed, or at any other time, with intent to change the result of such election; or carries away or destroys, or attempts to carry away or destroy, any poll list, or ballots, or ballot box, for the purpose of breaking up or invalidating the election; or willfully detains, mutilates or destroys any election returns; or in any manner so interferes with the officers holding the election, or conducting the canvass, or with the voters lawfully exercising their rights of voting at the election, as to prevent the election or canvass from being fairly had and lawfully conducted, shall be guilty of a crime of the third degree.

Unlawfully taking ballot box or removing contents; destroying ballots; willfully suppressing records. N.J. Stat. § 19:34-17

If a person shall rob or plunder any ballot box, or unlawfully and by stealth or violence take the same or remove therefrom any ballot or other paper, or exchange, alter or destroy any ballot or other paper contained therein, or if any person shall willfully and corruptly suppress, withhold, mutilate, destroy, alter or change any return, statement or certificate or any copy thereof, which shall have been made in pursuance of this title, and delivered to him to be filed, or which shall have been intrusted or delivered to him to be delivered or transmitted to any other person in pursuance of this title, every such person,

his aiders, procurers and abettors, shall be guilty of a crime of the third degree.

This section shall not apply to the destruction of ballots or the performance of other acts by officials when such acts are performed as prescribed in this title.

Interfering with return of ballot boxes.

N.J. Stat. § 19:34-18

A person who shall willfully obstruct or interfere with the clerk or clerks on the way from the polls to the office of the city clerk shall be guilty of a crime of the third degree.

Neglect of duties.

N.J. Stat. § 19:34-48

Every person charged with the performance of any duty under the provisions of any law of this State relating to elections who willfully neglects or refuses to perform it, or who, in his official capacity, knowingly and fraudulently acts in contravention or violation of any of the provisions of such laws, shall be guilty of a crime of the third degree.

