



ELECTION DAY

Guidelines for what IS and IS NOT allowed at the polls.¹

WHAT ARE THE RIGHTS OF VOTERS?

- Voters have a right to cast a vote in secret, without intimidation, harassment, or delay. VA Code § 24.2-604 (A).
- Voters have the right to vote as long as they are in line by the time polls are scheduled to close. VA Code § 24.2-603.
- Voters may wear a t-shirt, button, hat or other apparel in support/opposition to a candidate/issue when entering their polling location for the purpose of voting. VA Code § 24.2-604 (D).
- Voters may take selfies in the polling place. 1 VAC 20-60-30.

EXAMPLES OF VOTER INTIMIDATION INCLUDE:

- Physically blocking polling places.
- Using threatening language in or near a polling place.
- Yelling at people or calling people names while they are in line to vote.
- Disrupting or interrogating voters.
- Looking over people's shoulders while they are voting.
- Questioning voters about their political choices, citizenship status, and/or criminal record.
- Displaying false or misleading signage.
- Spreading false information about voting requirements and procedures.
- Invasions of a voter's physical space.
- Suggesting possible future violence, prosecution, or legal action based on a voter's presence at the polls.
- Loitering watchfully near voters while visibly carrying a firearm.
- Violent behavior inside or outside a polling site.
- Confronting voters while wearing military-style or official-looking uniforms.

WHAT ARE THE RIGHTS OF CANDIDATES, PARTIES, OBSERVERS, and MEDIA?

- Authorized representatives of each party or candidate may observe voting, as well as members of news/media organizations. VA Code § 24.2-604 (C).
- Authorized Neutral observers may also be present to observe. VA Code § 24.2-604.5(A).
- News media organizations are permitted a limited amount of time to capture video or stills (B-roll footage). VA Code § 24.2-604.5(B).
- Media may conduct interviews with voters, candidates, or other persons and may broadcast live or tape reporters' remarks *outside* the polls and *outside* the 40-foot prohibited area only. VA Code § 24.2-604.5(B).
- Parties, Candidates, and Advocates may hand out literature or express support for or against issues/candidates on election day outside the 40-foot entrance/exit of the polling location. VA Code § 24.2-604 (A).

¹ Updated 08/28/2024

REPORTING PROHIBITED BEHAVIOR

Non-Emergency: Please call the Office of Elections at 703-228-3456.

Emergency: Call 911.

WHAT IS NOT ALLOWED?

Disruptions are NOT permitted at polling locations.²

- No one at the polling place may interfere with a qualified voter, or try to influence them or to violate their right to vote in private. VA Code § 24.2-604 (A) and § 24.2-607.
- No one may loiter within the 40-foot barrier of the exit/entrance. VA Code § 24.2-604 (A).
- Candidate/Party observers, or neutral observers may not help any voter. VA Code § 24.2-604.5 (A).
- Loudspeakers or megaphones may not be used within 300 feet of a polling place. VA Code § 24.2-605.
- Stealing or Tampering with ballots or electronic voting equipment is a Class 5 Felony. VA Code § 24.2-1009.

Open-carrying or concealed-carrying weapons is NOT permitted at or near polling locations.

- Bringing firearms and other weapons into the following polling place locations is prohibited: public, private, or religious elementary, middle, or high schools (extending to the building and grounds of these institutions). VA Code § 15.2-915(E); Arlington County Code § 13-14; Falls Church City Code § 2-211.
- Arlington County prohibits the possession, carrying or transportation of any firearms or ammunition into any County building or any building being used on election day for County-run election business. Arlington County Code § 13-14; Falls Church Code City § 2-211.
- Officers of Election in place at the polls are in charge. They will seek to resolve disputes with guidance they have from the Department of Elections or call for the assistance of law enforcement if necessary. VA Code §§ 24.2-606-24.2-608.

NO “Militia” activity is permitted at or near polling locations.³

- Groups of people (two or more) congregating near the polling locations, open-carrying firearms, displaying rank/insignia, wearing fatigues, uniforms, etc., organized to take the place of existing local, state, or federal law enforcement are not allowed. VA Code § 18.2-433.2 (2).
- Groups of people are not allowed to carry, brandish firearms or similar-looking objects in a way that might cause reasonable fear or intimidation of people arriving to vote. VA Code § 18.2-433.2 (3).
- Individuals may be considered to be engaging in militia activity if they are alone but coordinating with others. VA Code §§ 18.2-18, 18.2-22.

WHAT SHOULD I LOOK FOR IF ARMED PARTIES ARE AT A POLLING LOCATION?

- What are the armed people wearing?
- Are they carrying firearms? If so, what type? If not, are they carrying other types of weapons?
- Are they wearing insignia? If so, what does it say or look like?
- Are they bearing signs or flags?
- Do they seem to be patrolling like a law enforcement officer might do?
- Do they seem to be coordinating their actions?
- Are they stopping or talking to people outside of their group?
- Do they appear to be provoking or threatening violence? If so, what are they doing specifically?
- Are people turning away from the polling station after seeing or speaking with them?

² Violations of Va. Code §24.2-604 et seq are Class 1 Misdemeanors

³ Violations of Va. Code §18.2-433.2 are punishable as a Class 5 Felony.

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