



Preparing for potential federal election interference

TOOLKIT FOR LOCAL ELECTED OFFICIALS

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This is a resource on potential federal interference with the November 2026 election for local elected and government officials without the legal responsibility for administering elections.

All jurisdictions have their own laws and contexts; this document is a high-level overview where we outline five potential federal election interference scenarios for which jurisdictions should consider preparing. The scenarios included may not occur but appear to be the most likely based on the administration's actions and remarks.

Please contact Public Rights Project (PRP) if you have additional questions or want to discuss your particular jurisdiction: elections@publicrightsproject.org.



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General preparation

There are several steps local officials can take to best prepare for potential federal interference in elections.

A. Connect with relevant stakeholders

1. **Local election officials and county attorneys:** Prior to the election, meet with your election officials and county attorneys¹ to understand what resources they may need if federal officials attempt to interfere. Determine what assistance your office can provide without affecting election administration. For each individual or office, ensure that you have a pre-designated point of contact who will be available if any issues arise.
 - a. Some district attorneys (Philadelphia, for example)² have established Election Day Task Forces. Check to see if your local district attorney is involved in elections and if coordination would be beneficial.
2. **Governor and Secretary of State:** If you believe state officials will be supportive of efforts to protect free and fair elections, begin outreach and develop a line of communication with these officials. Either way, lines of communication are useful in case of natural disaster or other disruption where state resources will be welcomed.
3. **State Attorney General:** Attorneys general have key roles and responsibilities in several aspects of election administration, election law enforcement, and voting procedures, including defending state voting laws and election results in court, and taking legal action to prevent or address voter intimidation or election misconduct. Have discussions early with your city and/or county attorney's office about the relationship that exists between your state's attorney general and your jurisdiction, and how the attorney general can play a role if the federal government or third-party actors attempt to interfere.

¹ This guidance focuses on the most typical scenario for election administration, where the county administers the election.

² PHILADELPHIA DISTRICT ATTORNEY'S OFFICE, District Attorney Larry Krasner Announces Activation of DAO's Election Task Force (May 18, 2026), <https://phillyda.org/news/district-attorney-larry-krasner-announces-activation-of-daos-election-task-force/>.

B. Begin scenario planning for response with relevant local officials, including local law enforcement, emergency management, election administrators, poll workers, and other government leaders.

1. **Develop a response plan.** Consider establishing a written protocol outlining incident response steps and emergency services coordination.
2. **Conduct tabletop exercises.** Ideally, these planning events take place well before Election Day and provide insight into gaps that need to be addressed and questions that must be answered based on anticipated scenarios your jurisdiction may face before or after Election Day. **If you'd like assistance with scenario planning, please [reach out to PRP](#).**

C. Support your jurisdiction's legal counsel in preparing for potential interference

1. **Ensure that the legal office that represents your local election official (potentially the County Attorney's Office) is adequately resourced** to respond to any investigations and quickly file litigation to block any federal interference. Consider connecting this legal office with PRP or hiring outside counsel for additional support if needed.
2. **Communicate with relevant local and statewide officials** to ensure that there is coordination amongst parties planning to litigate or respond to federal interference.

D. Develop a communications plan

Although you will not know the exact parameters of the messaging until an incident occurs, you should plan general talking points emphasizing that elections are safe and secure, and that election officials have prepared for a wide variety of potential situations. Be careful not to alarm voters when communicating the facts about potential threats to elections and avoid amplifying disinformation.

Regardless of the particular type of interference, keep the following communications strategies in mind:

1. **Pre-election:** Direct communications resources toward local election officials to ensure they can adequately respond to media. Amplify messaging that encourages voters to vote as early as possible and vote by mail where possible

and still practicable. Early voting and voting by mail may minimize the impact of any potential federal interference.

2. **Election Day:** Coordinate with your jurisdiction's task force or rapid response team, as well as local media, local political parties, and voting rights groups to amplify the message that polling places are open and that voting continues despite the disruption.
 - a. If disruptions occur, communicate any operational changes (e.g., polling place access, traffic changes, or alternate voting procedures) quickly and clearly.
 - b. Provide timely, factual updates while avoiding speculation.
 - c. Avoid amplifying rumors or unverified reports. Correct misinformation promptly using trusted local voices.
3. **Post-election:**
 - a. **If federal interference occurs prior to or on Election Day:**
 - i. Amplify trusted messengers and publicly commend local election workers and public officials for their work to navigate an election under difficult circumstances.
 - ii. Absent extraordinary circumstances that arguably undermined the results of the election, promote confidence in the election outcome.
 - b. **If federal interference did not occur** (either because of a court order or some other reason), amplify messaging from trusted messengers that explains that the election was safe and secure and that attempts to interfere were unsuccessful. The rule of law ultimately prevailed and voters can be confident in election outcomes.

E. Coordinate operational responses

Make sure that city and county agencies and departments are on notice that they may be called if emergency needs arise, such as the need to close streets and redirect traffic to diffuse any problems at polling locations due to the federal interference, or ensure that additional polling stations are accessible and open, as a contingency.

Many election preparation plans include coordination with emergency management or resources in the city. Consider direct coordination with those personnel in the lead-up to voting periods and Election Day.

F. Document all steps taken during the preparation and response stages

Your actions to prepare for and respond to any potential federal interference may be useful in public messaging, responding to investigations, or in litigation.

G. Pass legislation / issue executive orders

Consider using your jurisdiction's legislative authority to protect poll workers and voters where and how possible. At this late stage and close to an election, it is crucial to avoid voter confusion.

1. **Pass a local ordinance protecting election workers** from doxxing and requiring landlords to provide secure tenant mailboxes, see, e.g., Chicago's [Reverend Jesse L. Jackson Sr. Fair Access to Democracy Ordinance](https://tinyurl.com/bdfddbez)³
2. **Make election day a local holiday.**⁴

³ CITY OF CHICAGO, *Mayor Brandon Johnson Passes The Reverend Jesse L. Jackson Sr. Fair Access To Democracy Ordinance* (May 20, 2026), <https://tinyurl.com/bdfddbez>.

⁴ Currently, five states have Election Day as a public holiday and require employers to provide paid time off for voting; nine states have Election Day as a public holiday but do not require employers to provide paid time off for voting, and 17 states require employers to provide paid time off for voting but do not have Election Day as a public holiday. MOVEMENT ADVANCEMENT PROJECT, *Election Day Holidays and Paid Time Off to Vote* (Accessed August 20, 2026), <https://mapresearch.org/democracy-map/election-day-holidays-and-paid-time-off-to-vote/>.

Considerations for Mayors

While mayors typically do not have responsibilities related directly to elections, there are helpful actions they can take to ensure election integrity. To see these recommendations in a slide deck, please visit this [link](#).

A. Prepare

Bring together stakeholders to establish a written protocol outlining incident response steps and emergency services coordination. Potential stakeholders may include election official(s), city or county attorneys, emergency management, communications staff, local law enforcement, and executive leadership.

B. Create a rapid response task force

To ensure a speedy and properly coordinated response, consider creating a rapid response task force within your jurisdiction to respond to election administration issues. This taskforce may include your office, staff from the city or county attorney's office, local police, and other emergency responders.

Be prepared for how you will direct law enforcement, if under your jurisdiction, and other agencies to respond lawfully to protect protest and any other First Amendment activity in your city.

C. Create plans and protocols

In advance, draft plans and protocols with election officials and law enforcement for the following scenarios:

- [Federal immigration agents deployed to your region or near the polls](#) with the goal of intimidating voters and turnout
- [The National Guard deployed to the polls](#) by the federal government or the Governor for the purpose of election interference or intimidation
- [Seizure of election materials by the federal government](#)
- [Federal monitors near the polls](#)
- [Third party agitators at or near the polls](#)

D. Develop a communications plan

Mayors often have the largest platform to amplify messaging to the public and to other leaders. They can provide information, answer questions, and project calm to residents in your city, county, region, and beyond. Coordinate messaging with other validators/trusted messagers (elected officials, local media and/or influencers, voting rights and other advocacy organizations, business leaders, clergy) to encourage participation and combat disinformation.

Mayors for America has specific recommendations for communication and timing [here](#).

1. ***Pre-election, especially in states with early voting:***

- a. **Determine who will speak to the press on behalf of the jurisdiction.** In addition to the Mayor, this could be the chief election officer, the city attorney, or other official.
- b. **Amplify messaging that encourages voters to vote as early as possible and vote by mail and/or ballot drop box** where possible and still practicable. Early voting, voting by mail, and use of ballot drop boxes may minimize the impact of any federal election interference.

2. ***Election Day:***

- a. **Coordinate with your jurisdiction's task force or rapid response team**, as well as local media, local political parties, and voting rights groups to amplify the message that polling places are open and that voting continues, especially if there is a disruption. Disruptions could be caused by an issue with technology at the site, a problem with the facility itself, or outside interference.
 - i. **Coordinate with local media, local political parties, and voting rights groups** to amplify the messaging regarding voters' general right to vote and the federal and state legal protections against voter intimidation.
 - ii. **Amplify resources from local voting rights groups regarding questions or voting difficulties.** Consider the reach of mis- and disinformation and whether responding will inadvertently amplify otherwise ineffective statements.

- iii. **If contingency plans are implemented**, make sure the relevant political parties are aware of this and amplify any messaging to this effect.

3. ***Post-election, especially in any places with contested elections:***

- a. Amplify messaging from trusted messengers that explains local election officials' role in certifying election results, and the general process for ballot counting and certification.
- b. Amplify messaging that dispels widespread or influential conspiracy theories and misinformation.
- c. Absent extraordinary circumstances that arguably undermined the results of the election, promote confidence in the election outcome.
- d. If election interference occurs, amplify messaging that supports residents' rights to assemble, protest, and express their concerns.

Scenarios

The following sections discuss specific preparation and legal response to five scenarios involving potential interference by the federal government or other actors.

The analysis and steps below are high-level guidance, meant to begin but not complete all preparation. Consult with your city's or county's attorneys as well as others involved in election preparation as well.

1 | Federal immigration agents stationed at or near the polls

In order to intimidate voters or disrupt election integrity, the President could direct federal immigration agents⁵ to station themselves at or near polling locations. The Administration is likely to claim that federal immigration agents are present because of supposed widespread evidence of noncitizen voting. However, **there is no legitimate legal authority under which the Administration could station federal agents at or near the polls.**

Federal law⁶ (and some state laws) bar armed soldiers/federal agents from polling locations and federal law prohibits election intimidation.⁷ Regardless, your jurisdiction

⁵ These federal agents could work for the Department of Homeland Security (DHS) or the department's sub-agencies such as the United States Customs and Border Protection (CBP) and United States Customs and Immigration Enforcement (ICE).

⁶ Specifically, it is illegal to station "troops or armed men" where elections are held (18 U.S.C. § 592) and for members of the military to interfere with elections (18 U.S.C. § 593). 18 U.S.C. § 592 Because of these provisions, you may tell any armed federal immigration officers to leave. However, the federal government is also in charge of enforcing these statutes, and may refuse to follow the law during the midterm election. There are no clear requirements regarding how far this prohibition on armed men or troops extends around a poll site so it is possible that federal immigration agents may disagree with you on whether their presence is legal under federal law.

⁷ 52 U.S.C. § 10307(b) prohibits any intimidation, threats, or coercion of voters or those aiding them (election administrators) at election sites, and 18 U.S.C. § 594 prohibits voter intimidation in federal elections. If ICE agents are intimidating voters, you may ask them to leave because they are violating federal law.

should prepare for this scenario and be ready to ask these agents to leave polling locations. Your state may require cooperation with federal immigration enforcement, but federal agents cannot violate federal or state laws. Even if you are in a cooperating jurisdiction, you may ask federal immigration agents to leave the election site if the agents are violating federal or state law. If you ask agents to leave and they refuse, you should be prepared to take immediate legal action.

Crucial actions include early intervention by law enforcement or other local officials to keep Department of Homeland Security (DHS) agents away from the polls and public communications to mitigate the concerns of voters.

Specific preparation

1. **Determine whether your jurisdiction is cooperating with ICE.** Many local jurisdictions throughout the nation cooperate with ICE via what are commonly called 287(g) agreements. Named for Section 287(g) of the Immigration and Nationality Act, this provision authorizes state and local law enforcement officers to perform federal immigration duties.

For more information on models of coordination and an updated list of current participating jurisdictions, visit <https://www.ice.gov/identify-and-arrest/287g>.

Gaining a clearer understanding of any existing relationships with ICE will help local officials better navigate preparation for potential deployment around election day.

2. **Build a coalition of people who will show a united front against federal agents at the polls.** That coalition may include your district attorney, local police, your sheriff, emergency management leaders, city council members, advocacy organizations, business leaders, clergy, and election administrators in your community. These leaders can provide support to voters who likely will feel intimidated by the presence of DHS officials in your jurisdiction.
3. **Support your local election administrator(s) in developing a written rapid-response plan** outlining poll worker education, incident response steps, and emergency services coordination that identifies a point-person at each polling location (or a senior staffer to be dispatched) who will:
 - a. Be well-versed in the rules regarding federal agents at or near polling places; and

- b. Clearly report the details of any federal agent activity to a designated election official; and
- c. Be prepared to speak to the lead federal agent at or near a polling place to determine the purpose of their activity; and
- d. If instructed to by a designated election official, request that federal agents leave if they are violating federal or state law.

Responses

The exact circumstances warranting a response may differ. The federal government may announce plans to deploy ICE agents at a future date; agents may be actively deployed on Election Day or during early voting period; ICE agents may inadvertently conduct activity near a polling place; or you may be dealing with a post-election deployment or response to a previous deployment.

Regardless of the exact circumstances, consider the following steps.

1. **Legal.** The legal strategy will depend on the circumstances of the deployment. If ICE or other federal immigration agents conduct an immigration enforcement action at or near a polling place while an election is occurring, your county attorney may consider seeking a temporary restraining order (TRO) or injunction blocking their activity near the polling place.
2. As discussed above, you should consider your operational and communications responses as well.

Have questions or want to discuss your particular jurisdiction?

Public Rights Project's legal team is here to help: elections@publicrightsproject.org.

2 | National Guard or other federal troops deployed at or near the polls

There are legitimate reasons why some governors have deployed state National Guard troops to assist with elections. However, the President spent much of 2025 attempting to deploy National Guard troops without the authority to do so.⁸ It is possible that the President could attempt again to deploy National Guard troops for the purpose of intimidating voters or disrupting election integrity. However, as described above, federal law⁹ (and some state laws) bar armed soldiers/federal agents from polling locations and federal law prohibits election intimidation.¹⁰

Your jurisdiction should prepare for this scenario and be ready to ask National Guard troops to leave polling locations if you believe these troops are violating federal or state law. Even National Guard troops deployed by the Governor of your state cannot violate federal or state laws. If you ask National Guard troops to leave and they refuse, your jurisdiction should be prepared to immediately seek a TRO. Your county attorney or state attorney general may take the lead on filing litigation if necessary.

Responses

The exact circumstances warranting a response may differ. The federal government may announce plans to deploy troops at a future date; the troops may be actively deployed on Election Day or during early voting period; or you may be dealing with a post-election deployment or response to a previous deployment.

Regardless of the exact circumstances, consider the following steps.

1. **Legal.** The legal strategy will depend on the circumstances of the deployment.
 - a. **If legal action is taken during the pre-deployment or mid-deployment stage**, your county attorney will likely file for an injunction or restraining order blocking the deployment as soon as possible.

⁸ 10 U.S.C. § 12406(3) permits the President to deploy the National Guard when they are "unable with the regular forces to execute the laws of the United States." In December 2025, the U.S. Supreme Court concluded that "regular forces" refers to the U.S. military, narrowing the President's authority in this area. See *Trump v. Illinois*, 607 U. S. ____ (2025). Absent some type of emergency declaration, the President likely does not have authority to nationalize the National Guard to be present at polling places.

⁹ See FN 6.

¹⁰ See FN 7.

- b. **If legal action is brought after the deployment, the jurisdiction may have other goals**, including ensuring accountability, defending the election outcome, or other possible actions.

In general, you should communicate with relevant local and statewide officials to ensure that there is coordination amongst parties planning to litigate or respond to a National Guard deployment.

2. As discussed above, you should consider your operational and communications responses as well.

Have questions or want to discuss your particular jurisdiction?

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3 | Seizure of election materials by the federal government

In order to sow doubt among the public, the Administration could order or direct investigations and attempt to seize ballots or other election equipment.¹¹ The Department of Justice (DOJ) typically must provide a legitimate basis and purpose in order to examine certain election records.¹² In addition, searches or seizures of election materials must meet the strict standard of probable cause.¹³

Elected officials are critical in organizing the response and ensuring that the public maintains confidence in the machinery of elections, whether investigations and seizure attempts occur before or after the election has occurred. If you believe that your jurisdiction is at risk of investigation, consider recommending that your county attorney retain outside criminal counsel in advance and [contact PRP for support](#).

In this context, timing matters. If ballots are seized prior to the certification of the election, this would likely make the election difficult to certify. If ballots are seized after certification, such a seizure could impact the chain of custody and post-election testing/recounts.

Regardless of timing, jurisdictions should be prepared to immediately file litigation and seek the return of any seized materials.

Specific preparation

Depending on the state, some voters may be able to “cure” seized and uncounted ballots by submitting a new ballot according to processes outlined in state law. Ensure that elected officials, advocacy organizations, business leaders, political parties, and other election validators are aware of this possibility.

¹¹ The Federal Bureau of Investigation (FBI), in coordination with the Department of Justice (DOJ), is the federal agency that would have the authority to seize ballots pursuant to a federal criminal investigation. DHS, CBP, and/or ICE agents could also assist with ballot seizures. See Jimmy Balser, *Federal Investigations and Seizures of Voting Records*, CONG. RESEARCH SERV. (May 26, 2026), <https://www.congress.gov/crs-product/IF13235>.

¹² 52 U.S.C. § 20703 provides limited access for the attorney general to inspect or copy—not seize originals of—certain election records, but only after providing a written “statement of the basis and the purpose therefor[e]” to the records’ lawful custodian.

¹³ The Fourth Amendment prohibits federal officials from conducting unreasonable searches and seizures and requires officials to have a warrant based on probable cause. See U.S. Const. amend. IV.

Responses

1. **Legal.** Ensure your county attorney is prepared to quickly file litigation and pursue the return of any materials seized.
 - a. **Pre-certification.** Election officials are already required to preserve records for 22 months after federal elections. Federal demands to seize equipment or materials during an election could disrupt voting and almost never be warranted.¹⁴
 - b. **Post-certification.** If ballots are seized after ballot certification is complete, the seizure could impact the chain of custody and post-election recounts. Challenging post-certification seizures on state chain of custody grounds could be successful.¹⁵
2. **Communications**
 - a. **Election Day.** Coordinate with local media, local political parties, and voting rights groups to amplify the message that polling places are open and voting continues. Communications coordination can help combat disinformation and encourage continued turnout, even if ballots are seized.
 - b. **Post-election.** Amplify messaging discussing the effects of the seizure on the election certification timeline. Make sure voters understand that election results may be delayed because of the seizure.
 - i. Amplify messaging that dispels conspiracy theories and misinformation regarding the seizure and election administration prior to the seizure.
 - ii. Amplify and reinforce messages from other trusted messengers as well, including governor, secretary of state, and local elected officials.
3. As discussed above, you should consider your operational responses as well.

¹⁴ 52 U.S.C. § 20701 requires that “[e]very officer of election shall retain and preserve, for a period of twenty-two months from the date of any ... [federal] election ... all records and papers which come into his possession relating to any application, registration, payment of poll tax, or other act requisite to voting[.]”

¹⁵ U.S. ELECTION ASSISTANCE COMM'N, *Chain of Custody Best Practices* (July 13, 2021), https://www.eac.gov/sites/default/files/bestpractices/Chain_of_Custody_Best_Practices.pdf (explaining that election administration procedures are governed by federal, state, and local law and practice and providing best practices for maintaining chain of custody over physical election materials and voting systems).

4 | Federal monitors at or near the polls or ballot processing centers

DOJ monitors

The DOJ has long utilized election monitors¹⁶ to gauge compliance with federal civil rights laws. Typically, monitors are attorneys from the Civil Rights Division who observe and document election day activities.¹⁷ Usually and in the recent past, these monitors have focused on language access as well as physical and technology access for people with disabilities.

In July 2026, Assistant Attorney General Harmeet Dhillon announced that the DOJ was sending election monitors to 15 jurisdictions in six states to monitor primary elections.¹⁸ While this most recent announcement of DOJ monitors was in some ways similar to past efforts, AAG Dhillon also stated that there would be an “expanded” monitoring program in November 2026 and cited debunked election conspiracy theories. Letters to individual jurisdictions following this announcement have requested more detailed and extensive information than in years past. On August 17, 2026, AAG Dhillon explained that DOJ plans to deploy approximately 1,000 DOJ monitors in November 2026.¹⁹

Generally, DOJ monitors are permitted to enter polling places or ballot counting facilities only with the consent of state or local election officials (or if state law allows members of the public to observe). Though the particular rules vary by state, this means that poll workers are typically not required to allow federal monitors inside polling places or election facilities without clear instructions to do so from election officials. Where state and local officials disagree on whether to provide consent, state election law will determine who makes the ultimate decision.

¹⁶ In addition to election monitors, DOJ has authority to deploy [federal observers](#) to locations “where there is a court order under section 3(a) of the Voting Rights Act authorizing their presence.” Currently, the only jurisdictions that meet this requirement are in Louisiana (St. Landry Parish), New Jersey (Union County), and Rhode Island (city of Pawtucket). It is your responsibility to know whether a relevant court order is in place in your jurisdiction. Absent a court order, DOJ lacks clear authority to deploy federal observers inside in-person voting locations.

¹⁷ U.S. DEP’T OF JUST., *Election Monitoring* (Oct. 2024), <https://www.justice.gov/crt/media/1348571/dl?inline>.

¹⁸ Yunion Rivas, *Trump DOJ to deploy election monitors in 6 states amid intense pressure campaign*, DEMOCRACY DOCKET (July 7, 2026), <https://www.democracymonitor.com/news-alerts/trump-doj-to-deploy-election-monitors-in-6-states-amid-pressure-campaign/>.

¹⁹ “Bloomberg Talks: Harmeet Dhillon,” (Aug 17, 2026) <https://www.bloomberg.com/news/audio/2026-08-17/bloomberg-talks-harmeet-dhillon-podcast>.

Nothing prevents DOJ monitors from remaining outside polling locations and speaking to voters—the same rules that apply to any member of the public near a polling station would apply.

Under federal law, DOJ monitors are barred from intimidating voters or interfering with voters' ability to cast a ballot and also from engaging in political activity while on duty. Traditionally, monitors have provided advanced notice to jurisdictions if they will be present, though recent DOJ monitoring efforts have been less collaborative with state and local election officials than in the past. DOJ monitors should also identify themselves if asked.

Additionally, DOJ monitors must adhere to state laws governing election observers, which includes electioneering prohibitions, limits on how close to a polling site poll watchers/observers may stand, photography or recording limitations, and other requirements. These rules vary in each state.²⁰

Congressional observers

2024's Confirmation of Congressional Observer Access (COCOA) Act²¹ formalized a long-running program in Congress to send staffers in bipartisan teams to observe polling places and ballot tabulation centers during federal elections. This statute provides wide authority for congressional observers to watch the process of election administration, but makes clear that they may not “handle a ballot or election equipment (whether voting or nonvoting or whether tabulating or nontabulating), advocate for any position or candidate, take any action to reduce ballot secrecy or voter privacy, take any action to interfere with the ability of a voter to cast a ballot or an election administrator to carry the administrator's duties, or otherwise interfere with the election administration process.”

While congressional observers have been commonly deployed by members of the House in the past, the Senate is reportedly planning to send congressional observers into the field for the November 2026 election.²²

Regardless of the type of observer, jurisdictions should be prepared to document and escalate any possible violations of federal or state law or departure from norms.

²⁰ For more information on DOJ monitors, see CAMPAIGN LEGAL CTR., *DOJ Election Monitors Partner Primer* (July 14, 2026), <https://tinyurl.com/2jx5avks>.

²¹ 52 U.S.C. § 21083a (Confirmation of Congressional Observer Access Act).

²² Michael Gold, *Senate Democrats Will Train Staff as Election Observers*, NY TIMES (June 25, 2026), <https://www.nytimes.com/2026/06/25/us/politics/senate-democrats-will-train-staff-as-election-observers.html>.

Specific preparation

1. **Check with your local election official(s) and/or county attorney's office to see if they have provided consent** for federal monitors to enter polling locations or ballot processing centers.
2. **Develop a response plan.** Consider establishing a written protocol outlining incident response steps including documentation and escalation if poll workers believe that the law or norms have been violated.

Responses

1. **Legal.** The legal strategy will depend on the monitors' behavior and actions. In general you should:
 - a. Communicate with relevant local and statewide officials to ensure that there is coordination amongst state and local election officials.
 - b. Document any perceived violations of federal or state laws or monitor norms.
 - c. Be prepared to escalate a monitor's actions to local law enforcement and statewide officials.
2. As discussed above, you should consider your operational and communication responses as well.

Have questions or want to discuss your particular jurisdiction?

Public Rights Project's legal team is here to help: elections@publicrightsproject.org.

5 | Third-party agitators at polling places & central counting locations

Third-party actors may attempt to disrupt voting or ballot processing by intimidating voters or election workers, obstructing access to polling places or central counting facilities, interfering with election operations, or spreading misinformation. They may appear at polling places or central counting facilities as authorized poll observers or challengers under state law, or they may claim they are exercising their First Amendment rights to observe, protest, or document election activities.

State law generally governs who may be present, where they may be located, and what activities poll observers or challengers may undertake. Neither state observer laws nor the First Amendment authorize individuals to interfere with election administration, intimidate voters or election workers, obstruct access to voting or ballot processing, or enter restricted areas without authorization.

If you believe third-party agitators are violating federal or state law, you may ask them to leave. If you ask them to leave and they refuse, you should work with law enforcement to have them escorted from the polling station or ballot processing center, arrested, or work with your county attorney to immediately seek protection through a court order, such as a TRO.

Responses

Local elected officials can help ensure a coordinated response by supporting local election officials through legal, communications, and operational planning while reinforcing public confidence that voting can continue safely and lawfully.

1. **Legal.** Legal strategies will vary depending on whether the interference involves voter intimidation, obstruction, trespass, unauthorized access to election facilities, or other unlawful conduct.
 - a. Coordinate with your election official, county attorney, and local law enforcement regarding available legal tools to address voter intimidation, obstruction, trespass, or other unlawful interference with election administration.

- b. Support local election officials in promptly documenting incidents and preserving evidence (e.g., photographs, videos, witness statements, and incident logs) to support potential legal action.
- 2. **Operational.** Ensure local law enforcement understands the distinction between protected First Amendment activity and unlawful voter intimidation, obstruction, or unauthorized access to election facilities.
 - a. Understand the different types of threats that might emerge. Some will depend on whether individuals are inside or outside of polling locations.
- 3. As discussed above, you should consider your communication responses as well.

Have questions or want to discuss your particular jurisdiction?

Public Rights Project's legal team is here to help: elections@publicrightsproject.org.

Get support now

Public Rights Project helps local governments protect civil rights. We provide pro bono legal support to cities and counties across the country. Our clients and partners are local elected officials, election administrators, and city and county attorneys. Our support includes:

- Representation in litigation
- Legal research and confidential legal advice
- Technical assistance
- Election-related tabletop exercises
- Filing amicus briefs that provide courts with insight into the local government perspective/impact
- Referrals to other organizations serving election officials in their preparations

If you would like to discuss your jurisdiction's preparation or legal needs, please contact us at elections@publicrightsproject.org.

Mayors for America provides additional capacity for mayors to understand federal policies, to mount challenges in response, and to communicate local successes in ways that help build a compelling counter-narrative, showcasing thriving cities and the strong, competent leadership of America's mayors. Ahead of the upcoming elections, we are offering the following support for mayors:

- Communications and messaging support
- Election-related tabletop exercises, with an emphasis on helping mayors prepare their responses to planned mass mobilizations and/or economic disruption in cities the event of widespread election interference
- Convening rapid response teams across cities as part of the Election Protection Exchange

If you are interested in support from Mayors for America, please reach out to info@mayorsforamerica.us.

Public Rights Project will continue to monitor federal election interference and will update this resource as needed through November 2026.