



DEPARTMENT NOTICE

20-153
10/30/20

California Election Laws

The following is a summary of relevant election related laws. For exact language, please refer to the specific code section referenced.

Cal. Elections Code §§ 18520-18522

It is against the law to offer any kind of consideration (money, gifts, etc.) to get people to vote, or not vote, in any particular manner.

Cal. Elections Code § 18370

Any campaigning must remain at least 100 feet from any polling location. Campaigning includes: circulating an initiative or petition, soliciting votes, speaking to voters about their qualifications, or visibly displaying or audibly disseminating information for or against any candidate or measure on the ballot.

Any person who violates any of the provisions of this section is guilty of a misdemeanor.

Cal. Elections Code § 18502

Any person who interferes with the officers holding an election or with voters lawfully exercising their right to vote, as to prevent the election from being fairly held and lawfully conducted, is guilty of a felony.

Cal. Elections Code § 18540

(a) Any person who threatens to use or uses any force, violence, or tactic of coercion or intimidation to compel any other person to vote or refrain from voting, vote for a particular person or measure, or because any person voted or refrained from voting, is guilty of a felony.

(b) Every person who hires or arranges for any person commit subdivision (a) is guilty of a felony.

Cal. Elections Code § 18541

No person shall, with the intent of dissuading another person from voting, within 100 feet of a polling location, do any of the following: solicit a vote or speak to a voter about marking their ballot; place a sign or speak to a voter about their qualifications; or photograph, video record, or otherwise record a voter entering or exiting a polling place.

Any violation of this section is punishable as a misdemeanor or felony.

Any person who conspires to violate this section is guilty of a felony.

Cal. Elections Code § 18543

(a) No person shall knowingly challenge a person's right to vote without probable cause or on fraudulent grounds, or engage in mass, indiscriminate, and groundless challenging of voters solely for the purpose of preventing voters from voting or delaying the process, or fraudulently advise any person this they are not eligible to vote when that person is in fact eligible. A violation of this section is punishable as a misdemeanor or felony.

(b) Every person who conspires to violate subdivision (a) is guilty of a felony.

Cal. Elections Code § 18560

(a) No person shall fraudulently vote or attempt to vote in an election when they are not entitled to vote.

(b) No person shall vote or attempt to vote more than once in an election.

(c) No person shall impersonate or attempt to impersonate a voter at an election.

A violation of this section is punishable as a misdemeanor or felony.

Cal. Elections Code § 18564

(a) No person shall tamper with or interfere with the correct operation of, or willfully damage in or order to prevent use of, any voting machine or voting device.

(b) No person shall interfere or attempt to interfere with the secrecy of voting software.

(c) No person shall knowingly, and without authorization, make or have possession of a key to a voting machine.

(d) No person shall willfully substitute or attempt to substitute forged or counterfeit ballot software.

Any person who violated this section is guilty of a felony.

Poll Watchers

The public has the right to observe the voting process, including the processing of votes and recounts, at all voting locations and ask questions so long as they do not interfere with voting. Individuals cannot intimidate, harass, or ask voters any personal questions. Observers cannot display any campaign material or wear campaign badges, buttons, or apparel inside of a voting location.

A member of the public may not attempt to ascertain the identity and ballot choice of a voter, or open or mark a ballot to ascertain the voter's ballot choices. Any person who violates any of the provisions of this section is guilty of a misdemeanor. (**Cal. Elections Code § 18562.5**)

Members are reminded that there should be no political endorsements while on duty or in uniform. (**[DGO 2.01](#), [DN 20-145](#)**) Members are further reminded that they are required to wear masks at all times in the workplace and in the community. Members are encouraged and allowed to wear their own personal simple barrier style mask as long as they are either solid black or navy in color. (**[DN 20-082](#)**) Members are required, as always, to adhere to all Department policy on uniforms, equipment, and grooming standards.


WILLIAM SCOTT
Chief of Police

Per DN 20-150, all sworn & non-sworn members shall electronically acknowledge this Department document in PowerDMS. Members whose duties are relevant to this document shall be held responsible for compliance. Any questions regarding this policy should be made to sfpd.writtendirectives@sfgov.org who will provide additional information.