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The Necessary and Valuable Partnership: Law Enforcement and Election Officials

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This is one in a series of papers that are being published by the Ash Center for Democratic Governance and Innovation at Harvard Kennedy School based on the findings of the Executive Session on Elections and Election Administration.

Executive Sessions are a convening of individuals of independent standing who take joint responsibility for rethinking and improving society's responses to an issue. The **Executive Session on Elections and Election Administration** is a three-year program that brings leading election officials from across the country and political spectrum together with scholars and well informed "others" to discuss the long-term challenges they confront and how to address them.

The Ash Center advances excellence and innovation in democracy through research, education, and public discussion. Additional information about the Ash Center is available at ash.harvard.edu.

In the months leading up to the 2020 election, concerns and instances of political violence toward election officials began to mount. Many groups grew increasingly worried about violence at the polls, directed toward poll workers or voters. Despite receiving serious threats against themselves and their families, election officials often found themselves unsupported and ignored by first responders. Some voters felt intimidated by what they perceived as vigilantes protecting ballot drop boxes, while others feared direct interference with the voting process or the ballot count. Although many felt unsafe and sought police intervention, others noted that the law enforcement presence—or even the prospect of it—could be intimidating or destabilizing.

This paper first explains the historically complex relationship between voting and law enforcement in the United States, including the legal separation between police and voting and how different experiences with police shape opinions. It also addresses the increasing need for security and safety for election officials, poll workers, and voters. Next, the paper examines the shifts chronicled in 2020, 2022, and 2024, describing the partnerships that emerged and the actions that were taken to address these safety concerns. The

paper concludes with a range of suggestions and resources to increase safety and improve understanding among divergent stakeholders.

In this paper, "law enforcement" refers to an agency that provides emergency safety response. This may be local or municipal police, or, in many parts of the United States, the sheriff and sheriff's deputies. The term may also refer to state police agencies. It does not refer to or include any federal agencies, as U.S. elections are managed exclusively at the local, county, or state levels, and federal service members are prohibited from polling places by U.S. code.[1]

History

The relationship between law enforcement and election officials in the United States has long been complicated. Historically, law enforcement officers and executives have viewed themselves as uninvolved in elections in an effort to remain apolitical. Though sheriffs are elected, they tend to focus on winning their individual elections rather than the broader process of elections.

At the local level of cities and towns, law enforcement leaders are often appointed by or report to mayors, who are elected. Even in nonpartisan elections, those ties often reveal a political bent. Despite this formal separation, the United States has an undeniable history of voter discrimination that law enforcement officers were often required to enforce. Going back to the end of the Civil War, Black voters were subjected to unreasonable demands, such as literacy tests and property requirements. Combined with the fraught history of law enforcement serving as government enforcers—and, more recently, viral videos showing police violence toward Black motorists—many communities now feel intimidated by law enforcement at the polls. Others, by contrast, report feeling safer with that presence.

Against this backdrop, law enforcement tried to separate its activities from political favoritism in the late 20th and early 21st centuries. Over time, federal oversight sought to reinforce this expectation: local law enforcement must enforce laws equally and without favor, provisions that have been upheld by the U.S. Department of Justice. In the last few decades, these principles have been tested in nearly three dozen locations under the Violent Crime and Law Enforcement Act of 1994, 42 U.S.C.§ 14141, which makes it unlawful for government entities to engage in a pattern or practice of conduct by law enforcement officers that deprives individuals of rights, privileges, or immunities secured by the Constitution or laws of the United States.

In practice, law enforcement is generally tasked with protecting constitutionally afforded rights such as assembly and protest, even when demonstrations involve underlying issues with which officers or police chiefs may not be aligned—for example, LGBTQ rights, engagement in foreign wars, or anti-police activity. Voting is the foundation of democracy, and citizens have the right to cast their ballots free from pressure or coercion. Furthermore, federal law strictly prohibits voter intimidation.

However, in the last several years, voters in many places have expressed growing unease. While the appropriate response can be complicated, law enforcement has been called to address such intimidation as part of its

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responsibility to respond to unconstitutional or criminal acts. Because of the fraught history with police and certain communities and rules around police presence at polling places, concerns have emerged about how law enforcement's presence—even when intended to increase safety—could affect voter participation. Indeed, just before the 2020 election, researcher David Niven, a professor of American Politics at the University of Cincinnati, conducted a study of Alabama's 2017 special election and found that police presence at polling places decreased African American turnout by a staggering 32%.[2]

In October 2020, a poll by the National Policing Institute indicated that only 42% of Americans felt police presence at polling places would increase their confidence in election integrity. While a majority of Americans (77%) said they trusted police not to interfere with elections, this number dropped sharply among young people, with only 58% of those ages 18 to 34 sharing that view.[3]

Despite current voter concerns, there is little evidence of elections being interrupted by violence or threats of violence before 2020. Even following the contested 2000 election, when the outcome in Florida was ultimately determined by the U.S. Supreme Court after 36 days, no widespread violence or threats of violence occurred.

Turning Tides

While elections have run smoothly and without violence or threats of violence for many years, the lead-up to the 2020 election felt different. Election officials and nongovernmental organizations involved in democracy, elections, and safety began to express concerns and adopted new strategies for the 2020 election.

The COVID-19 pandemic impacted the population in countless ways. In the safety and election space, however, protests big and small erupted—over mask mandates, vaccination requirements, and remote public meetings—adding to concerns about safety during the voting process. Public health departments and elected officials were the primary targets, but the anger soon overflowed to election officials themselves. Then, in late May 2020, George Floyd was murdered by a Minneapolis police officer, resulting in nationwide marches and protests across the country. People working remotely, home from school, and disconnected from their normal routines and each other took to the streets to protest the police in general and their actions in this specific case. These demonstrations drew people from all corners of the country and across the political spectrum, and they were angry. Meanwhile, election officials struggled to adapt the 2020 presidential election processes and procedures to COVID-19 protocols, such as mask mandates and social distancing, even as protests against these rules and the police grew increasingly heated to the point of violence.

As a result, election planning shifted to focus heavily on safety—safety for poll workers with training on de-escalation, safety for elected officials being threatened with violence, and safety for voters at polling places amid the growing fear that everyday conflict would spill over into Election Day and beyond. In some places, election officials and law enforcement officers developed creative one-on-one strategies to collaborate. In others, law enforcement and prosecutors appeared unaware or uninterested in election security threats. This disconnect might have stemmed from several factors, including feeling personally attacked, being inadequately prepared for the pandemic

and protests, or being restricted by law from responding to threats or engaging with elections. Consequently, election workers—excoriated along with public health officials and school officials—feared for themselves, their families, and their staff.

To bridge the gap, loose partnerships began to form between community members and law enforcement, often with the help of third parties, including the Trusted Elections Fund, Voter Protection Project, and 21CP Solutions.

Guidance documents began to flow from the Institute for Constitutional Advocacy and Protection (ICAP) and the International Association of Chiefs of Police (IACP), offering law enforcement advice on protecting voters, responding to the threat of militias, and learning local election laws. In some cases, law enforcement leaders reached out to elected officials, though in 2020, this was not the norm.

Additionally, several nonprofit organizations, such as the Brennan Center for Justice, Bridging Divides Initiative, the Election Fund, and the Voter Protection Project (an earlier incarnation of States United Democracy Center) focused their attention at the community level. They were concerned that organizers would not be protected by the police or that voters would be intimidated.

Some state election officials proactively reached out to their local counterparts to work with local law enforcement on potential issues, from responding to "challenging voters" in offices and polling places to deterring voter intimidation at ballot drop boxes. Some also tried to anticipate more mundane problems exacerbated by predictions of high turnout, such as mitigating traffic jams near busy ballot drop box locations in the last couple of hours of the voting period.

At the same time, organizations were spearheading efforts to provide guidance to law enforcement on a range of legal issues that could emerge in this context. ICAP and other groups serving the law enforcement constituency realized that safety officials were not well versed in the nuances of election law. More concerningly, they were unable to quell the safety concerns of threatened election officials without the understanding and support of prosecutors. The threats were often anonymous and made by telephone, and in many places, "threatening to commit a crime" is not a serious offense. And yet the level of intimidation, intent to instill fear, and attacks on democratic principles were very real.

Election officials simultaneously worked to secure the election and protect themselves and their families. They found themselves preparing in real time for protestors challenging voters, traffic control near busy ballot drop locations, or intimidation at polling places. Threats about fraud and cheating, combined with low trust in government, increased people's interest in observing the process, which in turn increased the possibility of interference. People felt afraid.

In Washington state, extensive conversation focused on how to prevent these potential flashpoints. For example, officials discussed plans for staff members to walk a secured box to a waiting car to collect the ballots from those in line as another staff member locked the official drop box. There were also concerns that voters who refused to wear masks—or who did not believe in the need for masks altogether—might harass voters and ignore state-imposed guidelines. In response, Washington election officials worked through various scenarios with staff members who had general concerns about voter-on-voter

intimidation because of mask requirements or social distancing. Election teams even participated in "run, hide, fight" active shooter training. They also partnered with the Cybersecurity and Infrastructure Security Agency (CISA) and law enforcement to select videos and training materials that would leave workers feeling prepared but not scared.

Other cities and counties engaged in planning exercises with both election workers and front-line law enforcement. Elsewhere, election officials developed safety plans for transporting completed ballots to a central counting location, designed to mitigate transit risks. Shared de-escalation training became common.

Following the election, election officials faced increased violent rhetoric directed at them personally, both online and in person.[4] This contributed to local election official turnover, which increased from 28% in 2004 to 34% in 2020.[5] Officials experienced serious threats of violence and intimidation toward them, their families, and their staff, and some poll workers quit in advance of the 2022 election.

The period between the 2020 election and the meeting of the electors was rife with dissatisfaction, baseless accusations of fraud, and threats of forensic audits from conspiracy-driven actors. On November 12, 2020, a joint statement from the Elections Infrastructure Government Coordinating Council (GCC) and CISA, as well as the U.S. Election Assistance Commission chair, National Association of Secretaries of State (NASS), National Association of State Election Directors (NASED), and the Election Infrastructure Sector Coordinating Council (SCC) members, further inflamed tensions and rhetoric around election security. The statement declared the November 3, 2020, election as "the most secure" in U.S. history and emphasized "there is no evidence that any voting system deleted or lost votes, changed votes, or was in any way compromised."[6] The signatories, along with many others, became targets for threats and intimidation.

The threats of violence culminated in the January 6, 2021, attack on the U.S. Capitol, which resulted in the deaths of five people and injuries to 140 police officers.[7] The violent attack ushered in an era of what political scientist Robert Pape calls "violent populism."[8] From January 6 to the 2024 election, many groups facilitated increased coordination between law enforcement and election officials as essential to protecting democracy, defending people, and increasing trust. This became the new normal.

As threats of violence continued to rise and more than one-third of Americans doubted the results of the 2020 election,[9] many election officials concluded that involving police in safety planning with election officials or at polling places was worth the risk of backlash from voters and activists. Democratic senators also called for better coordination between federal, state, and local police to safeguard elections, worrying that threats against election officials were being treated "as isolated incidents, instead of as part of a growing nationwide trend."[10]

Ultimately, fears surrounding threats proved warranted; the Brennan Center for Justice found that 38% of election administrators received threats and harassment.[11] Drop boxes in Oregon and Washington were targeted with incendiary devices, which detonated and damaged the boxes and ballots.[12] The American Council for Election Technology's executive director reported incidents of

election administrators being doxxed, with private information about workers' homes shared online.[13]

After President Donald Trump claimed two election officials in Georgia were engaging in election fraud, they faced incessant harassment, including threatening phone calls, racial slurs, and attempted home intrusions.[14] The wife of Georgia's top election official received a chilling text message on April 24, 2021: "You and your family will be killed very slowly." That November, intruders broke into the home of her daughter-in-law, and the family went into hiding.[15] On January 2, 2021, officials in nearly a dozen counties received bomb threats.[16] In South Carolina's Charleston County, poll watchers unsettled election workers after posting on social media: "For all of you on the team tomorrow observing the polls, Good Hunting."[17]

Partnerships Emerge

Drawing from the lessons of 2020–2022, a number of groups have focused their efforts on protecting voting rights, keeping workers and voters safe, and improving understanding between election officials and law enforcement. These initiatives continue to expand, with a growing emphasis on cybersecurity, personal security, and international threats. Furthermore, these organizations offered guidance on election law and skill-based training with table top exercises.

With threats against election officials on the rise, a consortium of groups with a range of constituencies came together to engage in election-related work. These included:

- Committee for Safe and Secure Elections (CSSE)
- States United Democracy Center (SUDC)
- The Elections Group (TEG)
- Institute for Constitutional Advocacy and Protection (ICAP) at Georgetown Law
- National Policing Institute (NPI)
- Bipartisan Policy Center (BPC)
- United States Election Assistance Commission (EAC)
- United States Department of Justice Community Oriented Policing Services (COPS)
- American Prosecutors Research Institute (APRI)

Operating in new territory, these groups developed guides for law enforcement to promote safe and secure elections. Below is a very abbreviated list of what is available online:

- CSSE created Law Enforcement Quick Reference Guides and a Security Assessment Checklist as well as other helpful guides on the Resources page of the website.
- SUDC, NPI, and 21CP created "Public Safety and Elections: A Guide for Law Enforcement."
- ICAP partnered with the Police Executive Research Forum (PERF) to help disseminate their "Actions Law Enforcement Can Take to Address and Prevent Voter Intimidation."
- The EAC, working with CSSE, CISA, DOJ, FBI, and USPS created reference guides to help law enforcement understand election threats at the EAC website's Clearinghouse Resources on Election Security.

Other partnerships brought together law enforcement and election administrators to share personal experiences and strategize on how to respond to election threats. SUDC, CSSE, TEG, ICAP, BPC, and the EAC conducted joint training sessions, exercises, or panels with local law enforcement

and election officials to help them collaborate and respond to election threats. Importantly, these efforts emphasized partnership without unnecessarily increasing visibility of uniformed officers at polling places, which many voters find intimidating. If uniformed officials become more visible—even for tasks like directing traffic at busy locations—voters must have a better understanding of the training these officers receive to sever any association between police presence and intimidation.

After the January 6 attack, with the midterm election only 18 months away, the need for additional work was clear. Police needed to better understand the election process and local laws, while election officials and poll workers needed clarity on the police's role in protecting them and creating safe environments. High-profile incidents and additional private conversations eventually led police to understand the gravity of the threats facing both workers and the election process itself.

Taking Action

Stakeholders in the issue areas of elections, democracy, and rule of law recognized a need for more formal partnerships and a clearer understanding between law enforcement, election officials, and election workers. These partnerships resulted in several shared general goals:

- Prevent and reduce opportunities for violence at the polls and against election officials.
- Ensure law enforcement responses remain nonpartisan and focused on the law, consistent with First Amendment protections and state and local election laws.
- Allow elections to continue unimpeded.
- Create relationships between local law enforcement and election administration to facilitate sharing information and strategy.
- Promote awareness about threats to election workers and elected officials, as well as the normalization of threatening language and harassing behaviors.
- Convince the public that voting is safe and votes are secure.

As previously mentioned, the number and range of organizations spearheading these efforts continues to grow. The work includes coordinated meetings, discussions, and collaboration between law enforcement and election officials, building on efforts established since 2020 and adapting to environmental threats.

The Committee for Safe and Secure Elections (CSSE) consists of cross-partisan experts in election administration and law enforcement who aim to support policies and practices that protect election workers and voters from violence, threats, and intimidation. CSSE also works to build relationships and trust between election officials and law enforcement, better equipping both to prevent and address threats and violence against voters and election workers.

To that end, CSSE produced the aforementioned Law Enforcement Quick Reference Guides, summarizing key penal provisions related to elections for all 50 states and the District of Columbia. These pocket-sized guides provide legal citations for the most common issues from state law as well as additional resources for more information. In 2024, the Committee presented over 150 times in 38 states. CSSE partners include the National Sheriffs' Association (NSA), the Major County Sheriffs of America, and notable figures such

as retired U.S. Air Force Brigadier General Marty France and retired U.S. Army Lieutenant General Ronald Burgess.

Additionally, CSSE facilitated dozens of tabletop exercises to simulate and address a wide range of potential threats. These were instrumental in helping election officials and law enforcement agencies coordinate effectively, develop detailed response plans, and establish clear communication protocols.

Furthermore, the States United Democracy Center (SUDC) partnered with the U.S. Department of Justice Community Oriented Police Services (COPS) Office to release "What's New in Blue." The educational video featured two election officials and their law enforcement colleagues to inspire other law enforcement leaders to engage with their local election officials. In addition, the National Policing Institute (NPI) worked with dozens of law enforcement leaders to support their partnerships with election officials.

Founded in 2020, The Elections Group—a nonpartisan, nongovernmental organization that provides support and guidance to election officials in the United States—has created and disseminated de-escalation posters, crisis communication guides, and specialized resources for religious leaders to promote a free and fair election season.

Impact of 2020 and 2024 Election Partnerships

The preparation, communication, and planning that went into the 2022 and 2024 federal elections resulted in smooth and secure elections across the country.

- Election officials worked with each other, law enforcement agencies, state fusion centers,* federal agencies (including CISA, FBI, ODNI, and EAC), state national guard units, and others in an unmatched, first-of-its-kind coordinated effort.
- The Election Infrastructure Information Sharing and Analysis Center (EI-ISAC) and the Multi-State Information Sharing and Analysis Center (MS-ISAC) shared information with state and local election officials and fusion centers in real time, assisting in threat assessment and response planning.
- CISA's Elections Infrastructure Government Coordinating Council (GCC) and Sector Coordinating Council (SCC) also participated in these efforts.
- The federal intelligence community declassified and provided information to inform the election community of potential threats, which helped shape tabletop exercises and training.
- Nonprofit collaborations, like the CSSE, helped synthesize and distribute information while facilitating communication between election officials and law enforcement.
- CSSE is routinely called on to conduct de-escalation training focused on physiological responses, impact on cognitive decision-making, body language, verbal tone, empathy mapping, the anger iceberg, detouring, and tapping out. Special attention is given to de-escalation in situations where one is dealing with so-called First Amendment auditors.

As a result, most of the conflicts, threats, and other issues that arose during 2022 and 2024

* Fusion Centers are government run facilities that collect and analyze intelligence data and make it actionable information for its federal, state, and local law enforcement partners and key stakeholders.

election cycles were managed effectively at the local level.

- Advanced planning and information sharing had several positive results:
- Election officials successfully built out their contingency plans.
- During the 2024 general election, two incendiary devices detonated in ballot drop boxes and over 250 bomb threats were sent to polling places and election offices. These caused only minor disruptions to voting and ballot tabulation, showing that officials in those states understood the response plans and everyone's roles.
- With few exceptions, officials were prepared to respond to challenges, like bomb threats, without disrupting or delaying voting.
- Despite an exodus of 28% to 34% of experienced election officials between 2020 and 2024, elections remained secure and well-run, further underscoring the value of preparation and information sharing.

Strategies Moving Forward

Looking ahead, law enforcement and election officials across the country must continue fostering communication, sharing information, offering training, and planning together. Key recommendations include:

- Election officials at all levels must feel confident that law enforcement will respond to safety threats directed at people, places, or the process.
- Election officials, political leaders, and law enforcement must participate in joint tabletop exercises.
- Law enforcement, officers in charge, and poll workers should exchange direct phone numbers for key points of contact rather than relying on a help line or communications center.
- Law enforcement must understand that their historic role in elections is perceived by some communities as a threat, not a comfort. As such, police require training and practice in history and communications when engaging with the public at polling places. Similarly, law enforcement leaders should be educated on the details of the voting process to understand specific areas of concern for election officials, including threats to drop boxes, polling places, transportation of ballots, and count locations.
- Election officials and law enforcement should jointly plan for both foreseeable and unpredictable scenarios, with clear responses for a range of occurrences.
- Law enforcement must appreciate that presence and availability is not the same as visibility.
- Law enforcement and election officials should provide mutual training on a range of issues, from civic education to de-escalation.
- States should consider adopting training models similar to Georgia's election law training for law enforcement officers, which provides basic instruction on topics such as voter intimidation, election interference, and other election-related crimes. Georgia implemented a one-hour course as part of police training to ensure officers understand election laws and do not need to interpret them on the spot during an election-related incident.
- Programs like those from CSSE and content developed by organizations such as The Elections Group and Center for Tech and Civic Life (CTCL)[18] must continue.
  - These programs can serve as models for developing programs in each state.
  - Local election associations, statewide law enforcement associations, and state

election offices need to work together to ensure their members have access to information and resources.
  - National associations—including National Association of Secretaries of State (NASS), National Association of State Election Directors (NASED), National Association of Election Officials (NAEO/Election Center), National Association of Counties (NACo), National Conference for State Legislatures (NCSL), national chiefs and sheriffs' associations, and the Election Center—must continue to collaborate on difficult issues, such as funding for law enforcement and election administration.
- The resources lost by cuts at CISA and the FBI, as well as the loss of federal funding for the ISACs, must be restored.
  - State fusion centers, emergency management offices, law enforcement, and election officials must communicate and share information within and across states. This was critical to the success of the 2024 election.
  - The EAC should take the lead on these efforts to coordinate and centralize information.
  - Templates, materials, and training previously provided by CISA and the FBI must be developed and shared by nongovernmental organizations and larger jurisdictions with the resources to create content.
  - The election community must work to restore and build upon the networks developed by CISA in the lead-up to 2026 and 2028.
- These disparate but aligned public service offices—law enforcement, emergency management, and state elections—must work in unison to lobby state legislatures and Congress to understand the challenges of securing elections. The following list offers some suggestions for joint activities to increase safety for all during elections:
  - Lobby for funding.
  - Partner to share concrete details regarding on-the-ground activities in their local communities.
  - Engage with researchers to develop data-driven policy solutions.
  - Fill the gaps left by CISA no longer conducting safety assessments of local election offices, polling places, and ballot drop boxes. CSSE has created a Security Assessment Checklist to help assist law enforcement in conducting safety assessments.
  - Continue to train in de-escalation. Verbal harassment and attacks continue at a disturbing rate.
  - Jointly plan, train, and practice, including participating in joint tabletop exercises.

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