

Election Worker Safety and Privacy

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[Concerns](#) about election workers' safety and privacy have been reported since the 2020 election in [surveys](#), news articles, and testimony before congressional committees. Those concerns, along with a perceived increase in politically motivated job scrutiny, have led [some to leave, or consider leaving](#), their roles.

This Insight provides a brief overview of federal activity on election worker safety and privacy since 2020. For more information, see CRS Legal Sidebar LSB10781, *Overview of Federal Criminal Laws Prohibiting Threats and Harassment of Election Workers*, by Jimmy Balser.

Background

Federal law prohibits certain types of intimidation of or interference with election workers, including [intimidation](#) to discourage serving as a poll watcher or election official or in response to such service; [interference](#) by members of the Armed Forces with election officials' exercise of their duties; and intimidation for helping voters [register](#) or [cast a vote](#). Many states have laws that address other threats to election workers, such as through [privacy protections for election commissioners](#). More general laws, such as prohibitions [against voter intimidation](#) or [harassing](#) or [threatening](#) interstate communications, might also apply to some conduct.

Some [state](#) and local officials have responded to recent reports of threats to election workers with administrative action or legislative proposals. Election officials have included local law enforcement in poll worker trainings, for example, and implemented new security measures in their offices. State legislators have enacted new prohibitions or protections, such as a [New Hampshire law](#) that prohibits intimidating election officials to interfere with their work and an [Oregon law](#) that extends existing privacy protections to election workers.

Federal Activity

The executive branch has taken some action on election worker safety and privacy since the 2020 election. In July 2021, the U.S. Department of Justice (DOJ) [announced](#) the creation of an Election Threats Task Force “to address the rise in threats against election workers, administrators, officials, and

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others associated with the electoral process.” DOJ [reported](#) charging 14 cases and securing nine convictions related to the task force as of August 2023.

In addition to enforcement efforts, federal agencies have provided resources or support for election workers. For example, DOJ, [two](#) U.S. Department of Homeland Security (DHS) [agencies](#), and the [U.S. Election Assistance Commission \(EAC\)](#) administer certain grant funds that might be used to address threats to election workers. DHS’s [Cybersecurity and Infrastructure Security Agency](#) also offers [publications and services](#) to help election officials respond to [physical](#) and [online](#) threats; the [EAC](#) hosted a [panel discussion](#) on election official security and released a related [web page](#) and [video series](#); and the EAC’s [Board of Advisors](#) adopted a [resolution](#) condemning threats against election workers and calling for additional agency resources to help protect them.

There has also been activity on the issue in Congress. Election administrators and other witnesses have addressed threats to election workers in testimony to several congressional committees, including in

- **2021:** [July 28](#) and [October 26](#);
- **2022:** [May 19](#), [June 21](#), [June 22](#), [July 20](#), [July 27](#), [August 3](#) (Senate Judiciary), [August 3](#) (Senate Rules), and [August 11](#); and
- **2023:** [March 10](#), [March 23](#), [March 28](#), [April 27](#), [June 7](#) (House), [June 7](#) (Senate), [June 14](#), and [November 1](#).

In the 117th Congress, the majority staff of the House Committee on Oversight and Reform released a [report about the effects of election misinformation and disinformation](#), including threats to election workers, that drew on responses from election officials to [letters from the then-chairs of the committee and the Committee on House Administration](#). Some Senators have also sent letters to federal agencies requesting updates or action on threats to election workers, such as a [DHS- and Federal Bureau of Investigation \(FBI\)-issued public service announcement to local law enforcement](#).

Some bills introduced in the 117th or 118th Congress have aimed to address election worker security directly, including through proposals to

- prohibit intimidation of election workers with intent to interfere with or retaliate for performance of official duties (117th: H.R. 777, H.R. 4064/S. 2155, H.R. 5746, S. 2093, S. 2747, S. 4920; 118th: H.R. 11/S. 1/S. 2344, S. 1318);
- prohibit intimidation for or interference with helping voters register, vote, or both (117th: H.R. 1/S. 1/S. 2093, H.R. 1245, H.R. 1366, H.R. 2358/S. 954, H.R. 5746, S. 1840, S. 2747; 118th: H.R. 11/S. 1/S. 2344, H.R. 1583);
- prohibit physically damaging election infrastructure (117th: H.R. 5746, H.R. 6872/S. 3142, S. 4, S. 2928);
- extend an [existing prohibition](#) to intimidation for processing ballots or tabulating, canvassing, or certifying votes (117th: H.R. 5053/S. 2626, H.R. 5746, S. 2747, S. 4920; 118th: H.R. 11/S. 1/S. 2344, S. 1318, H.R. 3130/S. 1487);
- prohibit, or extend an [existing prohibition](#) to, intimidation involving violence or threats of harm and involving election agents, vendors, and contractors (117th: S. 4, S. 2928, H.R. 5746, H.R. 6872/S. 3142);
- prohibit removal or suspension of local election administrators except for specified reasons, such as neglect of duty or malfeasance in office (117th: H.R. 4064/S. 2155, H.R. 5746, S. 2747; 118th: H.R. 11/S. 1 /S. 2344, H.R. 5046/S. 2575);
- create privacy protections for, or extend [existing privacy protections](#) to, election workers and their families (117th: H.R. 4064/S. 2155, H.R. 5314, H.R. 5746, S. 2093, S. 2747, S. 4920; 118th: H.R. 11/S. 1 /S. 2344, S. 1318);

- increase the penalty for violating an [existing prohibition](#) on intimidating poll watchers and election officials (117th: S. 4574);
- establish in statute a DOJ-led election officials security task force (117th: H.R. 5314);
- prohibit possession of unauthorized firearms at federal election sites (118th: H.R. 2471); or
- direct DOJ to provide law enforcement and federal attorneys with training and resources for addressing threats to election workers and assign a special agent to each FBI field office to investigate such threats (117th: S. 4920; 118th: S. 1318).

Legislation has also been introduced to authorize funding states might use to address threats to election workers. For example, Members have proposed funding for recruiting, training, retaining, or protecting election workers (117th: H.R. 1/S. 1/S. 2093, H.R. 2358/S. 954, H.R. 5746, H.R. 7992/S. 4239, S. 2747, S. 4920; 118th: H.R. 11/S. 1 /S. 2344, H.R. 5292/S. 630, S. 1318); supplementing election worker pay (117th: H.R. 8015; 118th: H.R. 3436/S. 1609); providing election workers with physical security services and social media threat monitoring (117th: S. 4920; 118th: S. 1318); and preventing disclosure of election workers' personal information (117th: S. 4920; 118th: S. 1318).

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