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U.S. SENATOR *for* CALIFORNIA

Freedom from Intimidation in Elections Act

Every eligible voter in the United States has the right to cast a ballot free from intentional intimidation.

Every election official, clerk, and volunteer has the right to perform their official duties free from threats of violence and interference.

These rights are foundational principles in our democracy.

However, disinformation regarding the reliability of voting and our elections has polarized our political system and increased threats of violence. This distrust in democracy – along with changes in the Supreme Court’s interpretation of the Second Amendment and the deregulation of guns in some states – has heightened the presence of firearms and the risk of violence at election centers.

The Freedom from Intimidation in Elections Act aims to protect voters and election workers by ensuring that voters can cast their ballot free from intimidation and threats of violence and empowers poll workers and election officials to continue safely administering elections.

This bill updates existing anti-intimidation provisions of the Voting Rights Act of 1965 to help limit the presence of visible firearms at locations where voters cast their ballot or election workers perform their official duties.

The Freedom from Intimidation in Elections Act would:

- Amend Section 11(b) of the Voting Rights Act to establish a rebuttable presumption that a person carrying a visible firearm while engaging in election-related activities is engaging in voter intimidation.
- Provide civil remedies for individuals who experience this type of intimidation, including an emergency injunction that would allow the voter or election official to carry out their duties in peace.
- Recognize an exception for law enforcement officers acting within their official duties.

For additional information or to add your boss as an original cosponsor, please contact Anna Noone at anna_noone@judiciary-dem.senate.gov and Ethan Fallon at ethan_fallon@judiciary-dem.senate.gov.