

## **Legality regarding Behavior & Etiquette at the Polls**

Election day is a highly anticipated event for many U.S. citizens. Voting at the polls is concrete reminder of the hard-fought-for right of every citizen to have their voice heard and counted. Initially, it was the act of “treasonous” colonists to establish a republic. Years later, the process allowed reflection of evolving understanding of equality, humanity, and fairness to vote without intimidation, threat, or manipulation. To ensure the vote is protected as much as possible, laws were enacted to strengthen the process and dissuade corruption once identified.

Proposals and nominations often, and rightly so, ignite passionate involvement among citizens. Therefore, it is imperative to remember, it is the months and weeks leading up to an election that debates and discussion among family, friends, neighbors, and communities is to be completed—not at the polls.

To keep the Election day experience a positive and safe celebration of every citizen’s right to representation, review these laws before the election.

Per MCL 168.744, MCL 168.931, and MCL 168.932 on election day within 100 feet of an entrance to a [polling] building it is AGAINST THE LAW ...

- to approach voters to encourage voting for/against anything (this includes waiting in line trying to influence neighbors or others how to vote)
- to post, display, or distribute any material that directly or indirectly makes reference to an election, a candidate, or a ballot question (This includes propaganda on your vehicle and leaving it parked within the 100 feet of the door longer than it takes you to vote and exit)
- to wear clothing, accessories, masks, etcetera that refer to a specific candidate, campaign, or proposal (even if you are the candidate)
- to display “pro/con” or “vote for/against” material (This includes openly carrying your voting selections on paper. Keep it concealed in a purse or pocket until entering the voting booth and then take it out with you. Assistance materials must also be removed from the booth when the voter leaves or it qualifies as an attempt to persuade.)

- to offer money, assets, favor, job security, continued worship affiliation, or even safety from physical harm for voting in a prescribed manner
- to deter a voter from voting
- to intimidate a voter through brandishing or aggressive show of force with a firearm. (Simply carrying does not constitute intentional intimidation. Feeling anxious around a gun does not mean the carrier is displaying intimidating behavior. Open carry law and concealed with permit is still legal if it is legal in the state and polling location. Note, schools and some places of worship may not be legal to carry in certain instances.)
- shall not wager, record, register, or sell pools regarding the result of a nomination, appointment, or election.

In addition to these misdemeanors and felonies, federal crimes apply when a federal office appears on the ballot.

For most citizens, going to the polls is an opportunity to casually visit with neighbors and community members while they wait in line. However, what happens if someone is agitated or trying to make a statement while in the polls? Even if it is a challenger present to observe the process?

State law MCL 168.678 allows the clerk, the clerk's staff, and election inspectors to request the disruptive citizen to leave the voting location and call in law enforcement if necessary to escort the person from the location...even if the person has not yet voted. One's voting right does not supercede others' rights to not be intimidated to vote.

The statute clarifies inspectors have "full authority to maintain peace, regularity, and order" in the polling place. As police, sheriffs, and any other peace officers on site gain knowledge of a violation, they have "a duty to institute criminal proceedings for the punishment of an offender" per MCL 168.941.

Along with protecting anonymity of your neighbor's vote and minimizing distractions, cell phones and music devices need monitoring. As for any public arena, phones should be silenced, turned off, or turned to vibrate when entering the polling building. Do not make (nor take) calls while waiting in line or in the polls area, nor listen to music/recordings in which the volume is loud enough for another to hear. Some voters have sensory sensitivities or focus issues which should be respected.

Additionally, selfies are not allowed in the polls because you may inadvertently capture other voters--and possibly their ballots--in the background. However, you may take a photo of your completed ballot while in the voting booth. Outside the poll location, you may take selfies. Some townships may even have selfie locations to help you celebrate your civic participation. Members of the press may take photos from the designated public area for reporting purposes.

If it will be your first time voting in the polls, watch the video, “A Voters Guide to Voting” at <https://www.youtube.com/watch?v=R1xwgnpdt5A> filmed by the Michigan Bureau of Elections. Also, remember to bring a valid state photo identification card to receive your ballot. If you do not have one, you must sign an affidavit testifying that as truth or you will not be able to vote.

The poll experience can be invigorating as young, old, first, and veteran voters all come together to weigh in for who may be the best leaders and what modifications to laws are needed to reflect the needs of the current society. As “The Declaration of Independence” outlined, the consent of the governed gives a government its power in trust that the people will be ensured the right to life, liberty, and the pursuit of happiness.