

NOTICE OF PROHIBITIONS AND PENALTIES

AT THE OPENING OF THE POLLS, THREE (3) COPIES OF THESE PENALTIES SHALL BE IMMEDIATELY POSTED IN OR ABOUT THE VOTING ROOM. OUTSIDE THE ENCLOSED SPACE.

Any person who is convicted of willfully violating any provision of the Pennsylvania Election Code, in addition to suffering the penalties provided for in the Election Code, will be deprived of their right to vote for four (4) years from the date of conviction, and their voter registration will be cancelled. 25 P.S. § 3552. In addition, a person who, while a candidate for office, is found guilty of any provision of the Election Code is forever disqualified from holding any office of trust or profit in the Commonwealth of Pennsylvania. 25 P.S. § 3551. Following is a summary of certain prohibitions and penalties provided by Pennsylvania election law:

Disobeying lawful instructions – Willfully disobeying a lawful instruction, order or subpoena of the county board of elections. [Penalty: Misdemeanor, with a maximum fine of \$500 or imprisonment of one (1) year, or both.] 25 P.S. § 3501.

Perjury – Any willful, false statement made under oath or affirmation or in writing. [Penalty: Misdemeanor of the 1st degree, with a maximum fine of \$10,000 or imprisonment of no more than five (5) years, or both.] 25 P.S. § 3502.

Insertion and alteration of entries in documents – Removal – Refusal to deliver – Knowingly inserting, or knowingly permitting to be inserted, any false or fraudulent entry on any registration or voting records. Materially altering or intentionally destroying any entry that has been lawfully made, or removing any registration or voting record. [Penalty: Misdemeanor, with a maximum fine of \$1,000 or imprisonment of one (1) to two (2) years, or both.] 25 P.S. § 3505.

Refusing to permit overseers, watchers, attorneys or candidates to act – Refusal by any election official to permit overseers, watchers, attorneys or candidates to be present at any meeting that they are authorized by law to attend, or to perform any act or duty that they are authorized by law to perform. [Penalty: Misdemeanor, with a maximum fine of \$1,000 or imprisonment of no more than one (1) year, or both.] 25 P.S. § 3506.

Driving away watchers, attorneys, candidates or overseers – Threatening, intimidating or driving away any watcher, attorney, candidate, or overseer or representative of a county board of elections or of the Secretary of the Commonwealth, who are required or permitted to be present at the polling place, or preventing an overseer or representative of the county board of elections or the Secretary of the Commonwealth from performing their duties. [Penalty: Misdemeanor, with a maximum fine of \$1,000 or imprisonment of one (1) month to two (2) years, or both.] 25 P.S. § 3507

Refusal to permit election officers, clerks and machine inspectors to act – Driving away persons – Refusing to permit any election officer, clerk or machine inspector to perform his or her duties, or threatening or driving away any election officer, clerk or machine inspector, or in any other manner prevent any election officer, clerk or machine inspector from performing his duties. [Penalty: Misdemeanor, with a maximum fine of \$1,000 or imprisonment of one (1) month to two (2) years, or both.] 25 P.S. § 3508.

Violation of oath of office by election officers – Willful violation by election officers of their oath of office. [Penalty: Misdemeanor, with a maximum fine of \$1,000 or imprisonment of up to one (1) year, or both.] 25 P.S. § 3510

Peace officers; failure to render assistance – Police officers and other peace officers who, upon request of election officials, fail to render aid or assistance in the maintenance of peace and making arrests, or who hinder or delay any election official or overseer in the performance of his/her duties. [Penalty: Misdemeanor, with a maximum fine of \$500 or imprisonment of three (3) months to two (2) years, or both.] 25 P.S. § 3511.

Peace officer; failure to quell disturbances at polls; hindering or delaying elections officers and others – Police officers and other peace officers who neglect or refuse to clear an avenue to the door of a polling place that is obstructed so as to prevent voters from approaching; who neglect or refuse to maintain order and quell disturbances at a polling place when called upon to do so by an election officer or at least three voters who vote at the polling place; or who willfully hinder or delay an elections officer in the performance of his/her duties. [Penalty: Misdemeanor, with a maximum fine of \$1,000 or imprisonment of not more than one (1) year, or both.] 25 P.S. § 3521.

Constables; failure to perform duties – A constable who neglects or refuses to perform the duties of his office. [Penalty: Misdemeanor, with a maximum fine of \$500 or imprisonment of one (1) month to one (1) year, or both.] 25 P.S. § 3522.

Unlawful possession of ballots; counterfeiting ballots – Having possession of any official ballot outside the polling place or any counterfeit of an official ballot. [Penalty: Misdemeanor of the 2nd degree, with a maximum fine of \$5,000 or imprisonment of no more than two (2) years, or both.] 25 P.S. § 3516.

Forging and destroying ballots – [Penalty: Misdemeanor of the 2nd degree, with a maximum fine of \$5,000 or imprisonment of not more than two (2) years, or both.] 25 P.S. § 3517.

Tampering with voting machines – Unlawfully opening, tampering with or attempting to injure a voting machine: unlawfully attempting to prevent the correct operation of a voting machine; or unlawfully making or having a key to a voting machine. [Penalty: Misdemeanor of the 2nd degree, with a maximum fine of \$5,000 or imprisonment of not more than two (2) years, or both.] 25 P.S. § 3518.

Destroying, defacing or removing notice – Before or during a primary or election, willfully defacing, destroying or removing any notice, list of candidates or instructions posted as required by the Election Code; willfully removing or destroying other supplies or conveniences furnished by the county board of elections to any polling place; or willfully hindering voting by any person. [Penalty: Misdemeanor, with a maximum fine of \$100 or imprisonment of no more than three (3) months, or both.] 25 P.S. § 3519

Prying into ballots – Attempting to open a ballot before its deposit in the ballot box, with the intention of determining how the ballot was marked. [Penalty: Misdemeanor, with a maximum fine of \$500 or imprisonment of no more than one (1) year, or both.] 25 P.S. § 3526.

Interference with primaries and elections – (1) Preventing or attempting to prevent the peaceful conduct of a primary or election; (2) using or threatening to use violence toward or upon an election officer, or otherwise interrupting or improperly interfering with elections officers in the performance of their duties; (3) blocking or attempting to block the path to the door of a polling place; (4) intimidating, threatening, forcing or committing violence with the intent to influence a voter or to prevent him/her from voting or restraining his/her freedom of choice; (5) preparing or presenting to an elections officer a fraudulent voter's certificate not signed in the polling place by the voter; (6) depositing fraudulent ballots in the ballot box or registering fraudulent votes upon a voting machine; (7) tampering with a district register, voting check list, numbered list of voters, ballot box or voting machine; or (7) conspiring to commit these offenses or in any manner to prevent a free and fair primary or election. [Penalty: Felony of the 3rd degree, with a fine of no more than \$15,000 or imprisonment of no more than seven (7) years, or both.] 25 P.S. § 3527.

Persons interfering with other districts – Visiting any polling place on Election Day at which an individual is not entitled to vote or be present, using intimidation or violence for the purpose of preventing an election officer from performing his/her duties; for the purpose of preventing a qualified voter from exercising his/her right to vote or from exercising his/her right to challenge a person offering to vote; or for the purpose of influencing a voter. [Penalty: Felony of the 3rd degree, with a fine of no more than \$15,000 or imprisonment of no more than seven (7) years, or both.] 25 P.S. § 3528.

Assault and battery at polls – Unlawfully striking, wounding or committing an assault and battery upon a voter at or near the polling place during the course of a primary or election. [Penalty: Misdemeanor of the 1st degree, with a maximum fine of \$10,000 or imprisonment of up to five (5) years, or both.] 25 P.S. § 3529.

Unlawful voting – Voting or attempting to vote at any primary or election, knowing that the voter is not qualified to vote at that primary or election. [Penalty: Misdemeanor of the 1st degree, with a fine of no more than \$10,000 or imprisonment of no more than five (5) years, or both.] 25 P.S. § 3533.

Elector voting ballot of wrong party at primary – Willfully voting the primary ballot of a political party in which the voter is not enrolled. [Penalty: Misdemeanor of the 2nd degree, with a maximum fine of \$5,000 or imprisonment of no more than two (2) years, or both.] 25 P.S. § 3534.

Repeat voting at elections – Voting in more than election district, or otherwise voting more than once in the same primary or election. [Penalty: Felony of the 3rd degree, with a maximum fine of \$15,000 or imprisonment of no more than seven (7) years, or both.] 25 P.S. § 3535.

Removing ballots – Removing a ballot from a book of official ballots, except in the manner provided by law. [Penalty: Misdemeanor of the 2nd degree, with a maximum fine of \$5,000 or imprisonment of no more than two (2) years, or both.] 25 P.S. § 3536.

Bribery at elections – Directly or indirectly giving, promising or offering to give any money, goods or other valuable thing to any individual, including any promise to procure for or assist in obtaining for such individual any office, place, appointment or employment, with intent to influence the individual's vote. [Penalty: Felony of the 3rd degree, with a maximum fine of \$15,000 or imprisonment of no more than seven (7) years, or both.] 25 P.S. § 3539.

Prohibiting duress and intimidation of voters and interference with the free exercise of the elective franchise – (1) Directly or indirectly using or threatening to use violence, damage, harm, restraint, intimidation or coercion against an individual, with intent to influence the individual's vote; (2) impeding or interfering with the free exercise of the elective franchise; or (3) as an employer: (i) paying an employee salary or wages due accompanied by any "political motto, device, statement or argument containing threats, express or implied, intended or calculated to influence the political opinions or actions" of the employee; (ii) within 90 days of a primary or election putting or otherwise exhibiting in the establishment or place where employees are working "any handbill or placard containing any threat, notice, or information that if any particular ticket or candidate is elected or defeated work in [the place of employment] will cease, ... the establishment will be closed up, or the wages of [the employees] reduced"; or (iii) making threats, express or implied, intended or calculated to influence the political opinions or actions of an employee. [Penalty: Misdemeanor of the 2nd degree, with a maximum fine of \$5,000 or imprisonment of no more than two (2) years, or both.] 25 P.S. § 3547.

Failure to perform duty – An election official who willfully neglects or refuses to perform a duty imposed upon the officer by law. [Penalty: Misdemeanor, with a maximum fine of \$1,000 or imprisonment of no more than two (2) years, or both.] 25 P.S. § 3548.

Hindering or delaying performance of duty – Intentionally interfering with, hindering or delaying any person in the performance of any act or duty required by the Election Code. [Penalty: Misdemeanor with a maximum fine of \$500 or imprisonment of no more than one (1) year, or both.] 25 P.S. § 3549.

Election officers permitting unregistered electors to vote – A judge or inspector of election permitting anyone, except a person in actual military service, to vote who is not registered; or permitting a person to vote knowing that the person is not qualified to vote. [Note: These prohibitions do not apply to the provisions of the Election Code that entitle a person to cast a provisional ballot upon declaration that the voter is registered and eligible to vote in the election at the election district where he has appeared to vote.] [Penalty: Felony of the 3rd degree, with a maximum fine of \$15,000 or imprisonment of no more than seven (7) years, or both.] 25 P.S. § 3523.

Refusing to permit qualified electors to vote – A judge or inspector of election refusing to permit a duly registered and qualified elector to vote. [Penalty: Felony of the 3rd degree with a maximum fine of \$15,000 or imprisonment of no more than 7 years, or both.] 25 P.S. § 3523.

Election officers refusing to permit elector to vote in proper party at primary – An election officer refusing to permit a voter at a primary to receive the ballot of the party in which the elector is enrolled or giving to an elector the ballot of any party in which the elector is not enrolled. [Penalty: Misdemeanor of the 1st degree, with a maximum fine of \$10,000 or imprisonment of no more than five (5) years, or both.] 25 P.S. § 3524.

Frauds by election officers – Willful fraud by an elections officer, including (1) making a false return of the votes cast in an election; (2) depositing fraudulent ballots in the ballot box or registering fraudulent votes on a voting machine; (3) certifying a return of ballots or votes cast on an election machine that he knows to be fraudulent; (4) making false entries in the district register; (5) failing to insert in the voting check list the voter's certificate of an elector actually voting; (6) failing to record voting information as required; (7) failing to insert in the numbered list of voters the name of a person actually voting; (8) willfully destroying or altering a ballot, voter's certificate, or registration card; (9) willfully tampering with any voting machine; (10) preparing or inserting in the voting check list a false voter's certificate not prepared by or for a voter actually voting at a primary or election for the purpose of concealing the destruction or removal of a voter's certificate, or for the purpose of concealing the deposit of fraudulent ballots in the ballot box, or for the registering of fraudulent votes upon a voting machine; (11) failing to return to the county board of elections following a primary or election any keys of a voting machine, ballot box,

return sheet, tally paper, oaths of election officers, affidavits of electors and others, record of assisted voters, numbered list of voters, district register, voting check list, unused, spoiled and cancelled ballots, ballots deposited in a ballot box or written or affixed upon a voting machine, any certificate, or any other paper or record required to be returned to the county board of elections under the Election Code. In addition, any person conspiring to commit these offenses or in any manner to prevent a free and fair primary or election. [Penalty: Felony of the 3rd degree, with maximum fine of \$15,000 or imprisonment of up to seven (7) years, or both.] 25 P.S. § 3525.

Violations of provisions relating to absentee electors ballots – (1) Signing an application for absentee ballot or declaration of elector knowing any matter declared therein to be false; (2) voting a ballot other than the one properly issued to the voter; (3) voting or attempting to vote more than once in any election for which an absentee ballot has been issued to the voter; or (4) violating any other provision of Article XIII of the Election Code relating to absentee voting. [Penalty: Misdemeanor of the first degree, with a maximum fine of \$10,000 or imprisonment for up to five (5) years, or both.] 25 P.S. § 3553

Other violations of provisions relating to absentee electors ballots – An elections official (1) neglecting or refusing to perform any of the duties prescribed by Article XIII of the Election Code relating to absentee voting; (2) revealing or divulging any of the details of any absentee ballot cast; (3) counting an absentee ballot knowing it to be contrary to the provisions of the Election Code relating to absentee balloting; (4) rejecting an absentee ballot without reason to believe that the ballot must be rejected under the law, or (5) permitting a voter to cast a ballot at a polling place knowing that the voter has been issued an absentee ballot and the absentee ballot has not been voided by the voter. [Penalty: Felony of the 3rd degree, with a maximum fine of \$15,000, or imprisonment for up to seven (7) years, or both.

Voter registration and voting – An election officer (1) knowingly refusing the vote of a registered elector; (2) knowingly accepting the vote of an individual not registered under the law, except from a person in actual military service; or (3) knowingly receiving a vote from a person falsely claiming to be a registered elector. [Penalty: Misdemeanor of the first degree, a maximum fine of \$10,000 or imprisonment for not more than five (5) years, or both.] 25 Pa.C.S. § 1705.

PROHIBITED ACTS OF FRAUD AND MISREPRESENTATION UNDER FEDERAL LAW

(As summarized by the U.S. Department of Justice, Civil Rights Division)

It is a Federal crime for a person to make a false statement or claim that the person is a citizen of the United States in order to register or vote in any Federal, State, or local election. [42 U.S.C. § 15544(b); 18 U.S.C. §§ 611, 911 & 1015(f)]

It is a Federal crime to vote more than once in any election that includes candidates for Federal office (Note: This does not include voting a replacement ballot after a spoiled ballot has been invalidated or voting by regular ballot at the polling place after voiding an absentee ballot previously cast). [42 U.S.C. § 1973i(e)]

It is a Federal crime for a person to procure or submit a materially false, fraudulent or fictitious voter registration application in any election that includes candidates for Federal office. [42 U.S.C. § 1973gg-10(2)(A)]

It is a Federal crime for a person to submit false information as to name, address or period of residence in a voting district for the purpose of establishing eligibility to register or vote in an election that includes candidates for Federal office. [42 U.S.C. §§ 1973i(c) & 15544(a); 18 U.S.C. § 608(b)]

It is a Federal crime for a person to procure, cast or tabulate materially false, fraudulent or fictitious ballots in any election that includes candidates for Federal office. [42 U.S.C. §§ 1973i(c) & (e) and 1973gg-10(2)(B); 18 U.S.C. § 242]

It is a Federal crime for a person to pay, offer to pay or accept payment for voting, registering to vote, withholding his/her vote, or voting for or against a candidate in an election that includes candidates for Federal office. [42 U.S.C. § 1973i(c), 18 U.S.C. §§ 597 & 608(b)]