

Ohio: Protections Against Intimidation of Voters and Election Workers

This resource details state laws and policies protecting against the intimidation of voters and election workers and the disruption of the voting process.

Voters in Ohio have the right to vote free from intimidation under federal and state law.¹ The federal protections that apply to all states are explained [here](#). The following actions are specifically prohibited by Ohio law:

- Obstructing access to a polling location.²
- Obstructing, intimidating, or interfering with voting at a polling location.³
- Participating in a riot, violence, or disorder in and about a polling location.⁴
- Attempting by intimidation, coercion, or other unlawful means to induce a voter to vote or refrain from voting, or to vote or refrain from voting for a particular candidate, question, or issue.⁵
- Loitering in or about a polling place during the casting and counting of ballots so as to hinder, delay, or interfere with the conduct of an election.⁶
- Soliciting or in any manner attempting to influence any voter in casting their ballot.⁷
- Engaging in any kind of election campaigning within 100 feet of a polling place, and if the line for voting extends beyond the 100-foot buffer, within 10 feet of any voter waiting in the line for voting.⁸
- Unduly delaying or hindering a voter from attempting to vote or voting.⁹
- Recklessly destroying any property used to conduct elections or removing materials that help a voter cast their ballot.¹⁰

The below addresses the laws that serve as guardrails against specific threats of intimidation.

Voter Challenges

¹ See, e.g., 18 U.S.C. §§ 241, 594; 52 U.S.C. § 10101(b); Ohio Rev. Code Ann. §§ 3501.35, 3501.90, 3599.01, 3599.24, 3599.26.

² Ohio Rev. Code Ann. §§ 3501.90(A)(1)(A), 3501.35(A)(2).

³ Ohio Rev. Code Ann. § 3501.90(A)(1)(A).

⁴ Ohio Rev. Code Ann. § 3501.90(A)(1)(A).

⁵ Ohio Rev. Code Ann. § 3599.01(2).

⁶ Ohio Rev. Code Ann. § 3599.24(5).

⁷ Ohio Rev. Code Ann. § 3501.35(A)(5).

⁸ Ohio Rev. Code Ann. § 3501.35(A)(1).

⁹ Ohio Rev. Code Ann. § 3599.26.

¹⁰ Ohio Rev. Code Ann. § 3599.24(2), (6).

Although Ohio permits any qualified elector, precinct election official, or voting location manager to challenge another voter's eligibility,¹¹ state law also provides for some guardrails. For example, only precinct election officials or voting location managers may challenge a voter at a polling location.¹² Challenges by private citizens must be filed no later than 30 days before an election.¹³ Such challenges must also be filed using a form prescribed by the secretary of state's office, which requires challengers to state the reasons for the challenge and sign under penalty of election falsification.¹⁴

The National Voter Registration Act (NVRA) provides additional safeguards to protect voters from mass challenges before an election:

- The NVRA expressly recognizes that National Change of Address information is not sufficient on its own to serve as the basis for canceling a voter's registration.¹⁵
- The NVRA prohibits the systematic removal of voters from the rolls within 90 days of a federal election.¹⁶

Intimidation of Poll Workers and Election Officials

In addition to federal protections against the intimidation of election workers, it is a felony in Ohio for any person to attempt to intimidate an election officer or prevent an election official from performing their duties.¹⁷

Voter Intimidation by Poll Workers

The Brennan Center and All Voting is Local published a detailed resource on the rules and constraints for Ohio poll workers [here](#).

Intimidation by Poll Watchers

In addition to Ohio's voter intimidation laws detailed above, state law places limits on who may serve as an observer and what they may and may not do:¹⁸

- Any qualified elector may serve as an observer.¹⁹
- Uniformed officers or political candidates cannot serve as observers.²⁰

¹¹ Ohio Rev. Code Ann. § 3505.20.

¹² Ohio Secretary of State, "Chapter 9: Election Day Voting," Election Official Manual, 272, updated December 20, 2023, https://www.ohiosos.gov/globalassets/elections/directives/2023/eom/eom_fullversion_2023-12.pdf.

¹³ Ohio Rev. Code Ann. § 3503.24.

¹⁴ Ohio Rev. Code Ann. § 3503.24.

¹⁵ 52 U.S.C. § 20507(c)(1)(B).

¹⁶ 52 U.S.C. § 20507(c)(2)(A).

¹⁷ Ohio Rev. Code Ann. § 3599.24(3).

¹⁸ Note that poll watchers in Ohio are called "observers."

¹⁹ Ohio Rev. Code Ann. § 3505.21(B).

²⁰ Ohio Rev. Code Ann. § 3505.21(B).

- Observers may be appointed by a political party whose candidates are on the ballot, any group of five or more candidates, or a ballot issue committee.²¹ [No more than one](#) observer can be appointed to an early vote center or Election Day precinct.
- Observers are required to take an oath before observing.²²
- Observers are prohibited from engaging in any kind of campaigning; hindering or delaying a voter who is trying to enter or leave a polling location; impeding, interfering with, or disrupting the conduct of the election; intimidating, harassing, or attempting to influence voters or precinct election officials; carrying a firearm or other deadly weapon; or seeking to enforce the law or advocate on behalf of voters.²³
- Observers [may not use any electronic or communication device](#) or any audio/video recording device in a manner that “impedes, interferes with, or disrupts an election, or in any way intimidates a voter, or risks violating the secrecy of the ballot or voter privacy.”

Precinct election officials may remove from the polling place observers who engage in behavior that is inconsistent with state law or a secretary of state directive, or who “interferes with, impedes, or disrupts an election.”²⁴

State and Local Law Enforcement

The county board of elections or secretary of state may request at least one police officer be assigned to each precinct on each day of an election.²⁵ Police officers must follow the lawful orders of the voting location manager of a polling place.²⁶

Guns at Polling Places

Ohio law prohibits firearm possession for poll observers.²⁷ Even at locations where firearms are not expressly prohibited, firearm carry may constitute unlawful intimidation. Such conduct may consist of carrying a visible firearm near a polling location or at a drop box or vote-counting site, displaying a concealed firearm during a discussion or argument with a voter or election worker, or approaching a voter or election worker while displaying a firearm.

²¹ Ohio Secretary of State, “Chapter 9: Election Day Voting,” Election Official Manual, 276.

²² Ohio Rev. Code Ann. § 3505.21(F).

²³ Ohio Secretary of State, “Chapter 9: Election Day Voting,” Election Official Manual, 275.

²⁴ Ohio Secretary of State, “Chapter 9: Election Day Voting,” Election Official Manual, 275.

²⁵ Ohio Rev. Code Ann. § 3501.34.

²⁶ Ohio Rev. Code Ann. § 3599.31.

²⁷ Ohio Rev. Code Ann. § 3505.21(B).

Door-to-Door Intimidation

Ohio and federal law prohibit canvassing efforts that are used to intimidate voters.²⁸ Any voter who receives a visit from a privately organized canvassing group does not have to answer any questions and should report any incidents of intimidation to their local officials.

²⁸ 18 U.S.C. §§ 594, 241; Ohio Rev. Code Ann. § 3599.01(2).