



# Voter & Election Official Intimidation in North Carolina

Issue Background Sheet | Last Updated May 26, 2023

## Talking Points

- A voter's right to cast a ballot free from intimidation is fundamental to our democracy. Yet, North Carolinians — especially Black and brown voters — still face intimidation.
- Federal and state laws give voters and election officials some protection against intimidation and harassment, but not enough.
- Conspiracy theorists pushing the “Big Lie” have driven recent efforts to intimidate voters and election officials since the 2020 Election.
- Accusations that election officials are complicit in election malfeasance — combined with a nationwide effort to overwhelm election offices with public records requests — have resulted in significant burnout and turnover.
- The rise of conspiracy theorists' activities in North Carolina may have a chilling effect on voter turnout, as voters worry that they will be the targets of harassment.

## Election Observers<sup>1</sup>

North Carolina allows election observers to monitor the voting process inside a voting site. The majority of election observers are partisan and are appointed by their political party.<sup>2</sup> Observers are different from unofficial “poll monitors,” who can only observe a voting site from the outside.

Although transparency in the voting process is essential, the role of election observers can be weaponized to intimidate voters and disrupt elections. During North Carolina's 2022 primary election, some observers harassed voters and attempted to view confidential voter information.<sup>3</sup>

The NC Board of Elections issued temporary rules to regulate the actions of observers following these incidents — however, they were rejected by the state's Rules Review Commission after facing significant pushback from the NC Republican Party.<sup>4</sup>

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<sup>1</sup> NC General Statute 163-45; NC Administrative Code, Title 8, Chapter 20.

<sup>2</sup> Unaffiliated candidates may also designate their own election observers.

<sup>3</sup> Hannah Schoenbaum, “N. Carolina commission rejects restrictions on poll watchers,” Associated Press, August 26, 2022.

<sup>4</sup> Ibid.

## Election Official Harassment

Since the 2020 presidential election, election officials across the country have experienced threats and harassment at unprecedented levels. According to a recent Brennan Center survey, one in six election officials across the country have experienced threats in the recent past.<sup>5</sup> In North Carolina, election officials have reported being stalked and receiving threatening emails.<sup>6</sup>

In addition to harassment, partisan actors have attempted to make the jobs of election officials significantly more challenging. An explosion of public records requests has flooded state and county election offices in recent months, contributing to employee burnout and adding to the pressure of administering the 2022 midterm election.<sup>7</sup>

## Other Intimidation Issues

**Guns and other weapons** may be allowed at a voting site. While there are no specific prohibitions on carrying a gun at a voting site, North Carolina law bans weapons in some buildings that are commonly used as voting sites, such as schools.

**Law enforcement officers** are prohibited from being stationed at, or patrolling, voting sites in North Carolina.<sup>8</sup> Police intimidation was a key tactic in the voter suppression efforts in the Jim Crow South, and police presence continues to serve as a potential mode of intimidation. Like any other voter, law enforcement officers are allowed to use a voting site to cast their ballot.

**Political campaigners** who are aggressive can intimidate or harass voters. Several cases of aggressive campaigners were documented during North Carolina's 2022 election.<sup>9</sup> Under state law, campaigners cannot disrupt voting, intimidate voters, or impede access to the polls.

**Door-to-door canvassing:** Individuals have been caught on video going door to door, demanding to see voters in order to "verify" their identity. These individuals have failed to clearly identify themselves or state that they were not state or local election officials. This canvassing has resulted in voters feeling that they are being watched and harassed.<sup>10</sup>

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<sup>5</sup> "Local Election Officials Survey," Brennan Center for Justice, March 2022

<sup>6</sup> To learn more about how election officials have been targets of harassment and intense oversight, see the [2023 Blueprint for a Stronger Democracy](#) report (Section 3.2, "Fund, Support, and Protect Election Officials").

<sup>7</sup> Rusty Jacobs, "NC election officials swamped with dubious records requests from 2020 deniers," NC Public Radio, September 20, 2022.

<sup>8</sup> North Carolina State Board of Elections Numbered Memo 2020-30.

<sup>9</sup> Charles Duncan, "[Intimidation, interference: Elections officials report 21 incidents in N.C. midterms](#)," Spectrum News 1, November 11, 2022.

<sup>10</sup> Michael Praats, "Brunswick family left with questions following unexpected visit from 'volunteers' asking about voting records," WECT News, February 15, 2022.

**Buffer zone:** Political campaigners and poll monitors are required to stay between 25-50 feet away from the entrance to a voting site.<sup>11</sup> This distance allows voters to be protected from electioneering, while simultaneously giving nonpartisan poll monitoring groups the ability to interact with voters.

**Hate symbols:** There are several recorded incidents of hate symbols being displayed outside of voting sites in North Carolina in recent years.<sup>12</sup> The NC Board of Elections has stated that they must “carefully weigh and consider any limitations on speech, including the display of signs or symbols, by private individuals who engage in activity outside the buffer zone.”<sup>13</sup>

**Voter challenges:** North Carolina law allows registered voters to challenge “the right of any person to register, remain registered or vote.” These challenges have been used to prevent North Carolinians — particularly Black and brown voters — from casting a ballot.<sup>14</sup>

## Opposing Arguments + Rebuttals

### “Voter intimidation isn’t a problem in North Carolina.”

North Carolina’s nonpartisan voter hotline received over 500 calls regarding voter intimidation during the 2020 General Election.<sup>15</sup> This number does not adequately represent the unknown number of North Carolinians who face voter intimidation but do not report it. While the NC Board of Elections [website](#) encourages voters who feel harassed or intimidated to “notify an election official immediately,” no instructions are given for who to contact, or how this should be done.

### “The public must be given unrestricted access to the voting process.”

The transparency of our elections is essential to the functioning of our democracy. However, transparency must be balanced with the right of voters to cast their ballots in private — and cannot compromise the security of our voting systems. It is important to note that North Carolina already gives the public access to meetings where absentee ballots are counted, conducts post-election audits, and holds regular public meetings.

### “North Carolina already does enough to protect voters and election officials from intimidation.”

State laws have not kept up with modern forms of voter intimidation — including online disinformation campaigns and door-to-door voter harassment. North Carolina has also failed to appropriately and consistently fund elections, which has restricted the state board of elections’ ability to conduct meaningful public education about voter intimidation and invest in necessary security enhancements.

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<sup>11</sup> NC General Statute 163-166.4.

<sup>12</sup> “[Current Conditions of Voting Rights Discrimination in North Carolina](#),” Forward Justice, August 16, 2021.

<sup>13</sup> “Numbered Memo 2020-30,” North Carolina State Board of Elections, October 12, 2020.

<sup>14</sup> To learn more about voter challenges have been weaponized, see the [2023 Blueprint for a Stronger Democracy](#) report (Section 2.5, “Prevent Malicious Voter Challenges”).

<sup>15</sup> “2020 Election Protection Report,” Democracy North Carolina and Southern Coalition for Social Justice, December 2021.

## Looking Ahead

Protecting voters and election officials from harassment and intimidation is essential to safeguarding the ability of all North Carolinians to cast a ballot. Although some protections exist, more must be done, including:

- Passing comprehensive state legislation protecting voters from intimidation.
- Educating North Carolinians on how to identify and report voter intimidation.
- Expanding protections against voter intimidation to include voting by mail.
- Improving data collection and reporting of voter intimidation incidents on the state level.
- Requiring voter intimidation training for all poll workers.
- Funding security improvements to state and local election offices.

**Read more about our vision for democracy in North Carolina:**  
[2023 Blueprint for a Stronger Democracy](#)

## Talk to the Experts

These organizations are fighting to protect voters and election officials from intimidation:

- [ACLU of North Carolina](#)
- [Common Cause North Carolina](#)
- [Democracy North Carolina](#)
- [Forward Justice](#)
- [League of Women Voters of NC](#)
- [North Carolina Voters for Clean Elections](#)
- [Southern Coalition for Social Justice](#)

## Further Reading

- [Blueprint for a Stronger Democracy](#) | Institute for Southern Studies and North Carolina Voters for Clean Elections
- [The Truth About Election Observer and Voter Intimidation Laws in North Carolina](#) | NC Dept. of Justice
- [North Carolina Precinct Officials: Rules and Constraints](#) | Brennan Center for Justice
- [FAQ: What Are NC Rules On Voting Observation And Voter Intimidation?](#) | WFAE
- [Current Conditions of Voting Rights Discrimination in North Carolina](#) | Forward Justice
- [2020 Election Protection Report](#) | Democracy NC and Southern Coalition for Social Justice
- [Know Your Rights: Voter Intimidation](#) | ACLU of North Carolina