



CLEVELAND DIVISION OF POLICE

DIVISIONAL NOTICE

DATE: OCTOBER 21, 2020	NUMBER: 20-347
SUBJECT: DIVISION RESPONSIBILITIES – EARLY VOTING TO ELECTION DAY	
CHIEF: <i>Calvin D. Williams, Chief</i>	PAGE(S): 1 of 2

On October 5, 2020, Ohio Secretary of State Frank LaRose issued a memorandum regarding the statutory responsibilities of Sheriffs and Chiefs of Police during early voting, which began October 6, 2020, through Election Day on Tuesday, November 3, 2020. Polling places will be open on Election Day from 0630 to 1930 hours or until every voter in line at 1930 hours casts their ballot.

Per [Ohio Revised Code 3501.33 Authority of precinct officials](#), election officials are required to prevent and stop any improper practices or attempts to obstruct, intimidate, or interfere with any voter casting their ballot, and to avoid commotion, disorder, and violence at polling places. As a result, election officials and/or voting location managers have the authority to call members of the Division to aid them in enforcing this law.

Additionally, the Secretary of State's Office issued health guidelines to ensure the safety of voters, poll workers, election officials, and law enforcement during all election processes amidst the COVID-19 pandemic. The Secretary's Office requires each polling location to have sanitizer, gloves, masks, and additional personal protective equipment (PPE) for polling place staff.

All election officials and staff are required to wear cloth face-coverings and maintain at least six feet of space around voters. Members shall follow guidance consistent with established Division PPE practices.

Voters are expected to wear a face-covering inside their polling place or while in line to vote. If a voter arrives without a face-covering, they will be offered a disposable one. Should a voter refuse to wear a face-covering inside, election officials will offer the voter the option of curbside voting (Curbside voting will be available to those who are symptomatic or concerned about exposure to the COVID-19 virus.).

Because voting is a fundamental constitutional right, and all lawfully qualified and registered voters must be allowed to exercise that right at their polling place (excluding those who have previously taken advantage of absentee voting by mail or early in-person voting), if a voter refuses curbside voting, they must still be permitted to vote in-person.

The Cuyahoga County Board of Elections was advised to train their employees and poll workers in conflict de-escalation. However, voting location managers may call on Division members to help de-escalate tense situations (i.e., campaigning, electioneering, health precaution conflicts).

Members shall immediately respond to a voting location manager's call for service and shall use de-escalating techniques when feasible. Members shall assist managers with the enforcement of election laws and may arrest violators. However, such an arrest shall not prevent the person from voting if they are entitled to do so. (ORC 3501.33). Election laws include, but are not limited to, the following:

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- Hindering or delaying any elector in reaching or leaving the place fixed for casting the elector's ballot ([ORC 3501.35 A 2](#)).
- Loitering, congregating, or engaging in any kind of election campaigning within the area between the polling place, the small United States flags placed on thoroughfares and walkways leading to the polling place, or within ten feet of any elector in line if the line of electors extends beyond those small flags ([ORC 3501.30](#), [ORC 3501.35 A 1](#)).

Members shall be aware of the possibility of being detailed to a polling place per [Ohio Revised Code 3501.34 Duties of police force as to elections](#), which state in pertinent part:

"The officer or authority having command of the police force of any municipal corporation . . . on requisition of the board of elections or the secretary of state, shall promptly detail for service at the polling place in any precinct of such municipal corporation or county such force as the board or secretary of state considers necessary. On every day of election such officer . . . shall have a special force in readiness for any emergency and for assignment to duty in the precinct polling places."

Questions may be directed to Michael Brewer, the Ohio Secretary of State's Security Administrator, at (614) 701-8869 or the Elections Division at (614) 466-2585.