

# The Star-Ledger

## Fears of voter intimidation spur N.J. voting rights groups to keep a close watch at polling places Tuesday

By Blake Nelson

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Even though most New Jerseyans are voting by mail this year, pandemic uncertainty and fears of voter intimidation are driving more people to monitor polling places Tuesday.

Leaders at voting rights organizations told NJ Advance Media they are mobilizing volunteers to keep watch outside polling places, without breaking the required 100 ft. buffer zone around voting booths. Law enforcement leaders are also dispatching more deputy attorneys general than in 2016 to help local officials, even though about half the state's registered voters have already cast ballots.

"We really do need more eyes and ears on the ground," said Morgan Conley, national coordinator for the nonpartisan Election Protection. The coronavirus had obviously upended normal procedures, she said, and racial tensions nationwide added to voter stress.

The group is partnered with the Delaware-New Jersey National Lawyers Guild to train about 100 volunteers for two purposes, she said.

The first is to answer any questions from voters confused by recent changes.

Most residents, for example will cast provisional ballots if they show up in person. Because absentee ballots have been sent to all voters, this gives officials time to confirm nobody voted twice.

Volunteers will also report any intimidation.

More than two dozen League of Women Voters members will have a similar job.

We "are more concerned about lines and polling place consolidation so having eyes on the ground is crucial," Jesse Burns, executive director of the league's state chapter, wrote in a message.

The same goes for Sue Altman, head of the progressive Working Families Alliance, who has been recruiting volunteers online to stand outside five urban polling places in South Jersey. It's a first for her group, she said.

Some residents and lawmakers are fearful because of the state's past.

An infamous New Jersey governor's race in 1981 saw the Republican Party send armed, off-duty cops to stand at polling places in minority neighborhoods while wearing armbands that read "National Ballot Security Task Force."

That intimidation led a court to restrict the party's voter activities for decades.

Tuesday will be the nation's first presidential election since those limits expired, and Donald Trump has already asked supporters to "monitor" polling places and his son has called for "able-bodied" people to create a security "army."

However, what qualifies as "intimidation" can be difficult to define.

"The intimidation is likely to be both subtle and without witnesses," according to a 2017 U.S. Department of Justice report, and federal officials wrote that "a number of factors make it difficult to prosecute."

New Jersey's attorney general normally dispatches deputies during elections to help local officials address any legal issues that might pop up.

On Tuesday, 361 deputy attorneys general will be in the field and another 130 will be on call, according to spokesman Leland Moore.

Those numbers are higher than the amount sent out in 2016, even though the election is largely by mail.

In a recent letter to cops and prosecutors, state Attorney General Gurbir Grewal ordered counties to select an assistant prosecutor to act as a go-to for cops with election questions.

He also reminded officers of their Election Day limits.

Off-duty cops may serve on an election board or work as a poll watcher, but "under no circumstances may such an officer wear a police officer's uniform or carry an exposed weapon," the letter said. Police may "maintain order," but they generally can't kick somebody out of a location unless asked by civilian officials.

A proposal before the state Legislature would increase those restrictions.

A state Senate committee recently approved a bill (S2923) sharply limiting when cops can be near a polling place or drop box. Proponents said the restrictions were necessary to make voters who are afraid of officers feel more secure, and would reduce the risk that any cop dons a "Ballot Security" arm band.

Opponents said the bill would tie the hands of the very people best suited to stop any intimidation.

“This is a bad idea from politicians in Trenton that would instruct local officials where and how to patrol a community,” state Assembly Minority Leader Jon Bramnick, R-Union, said in a statement. “In light of the polarized state of our nation, I support law enforcement keeping a close eye on polling locations.”

The proposal was pulled from consideration before the full Senate met Thursday, which was the last scheduled vote before Nov. 3.

Voting rights groups said they were not aware of any specific threats to New Jersey, and that residents were already effectively navigating the new system.

“So far that’s been relatively smooth,” said Jeanne LoCicero, legal director of the American Civil Liberties Union of New Jersey.

Voters can report problems to several hotlines, including Election Protection’s 1-866-OUR-VOTE, and the state’s 1-877-NJ-VOTER.