

What is NOT a Federal Election Crime?

- ◆ Giving voters a ride to the polls or time off to vote.
- ◆ Offering voters a stamp to mail an absentee ballot.
- ◆ False claims about oneself or another candidate.
- ◆ False or forged nominating petitions.
- ◆ Asking an opponent to withdraw from a race.
- ◆ Honest mistakes by polling place workers.
- ◆ Campaigning too close to the polls.

REMEMBER, armed FBI Agents are prohibited from responding to a polling place while voting is ongoing. However, FBI Agents may be armed at a polling place for the purpose of casting their own vote.



**IF YOU THINK AN ELECTION CRIME IS OCCURRING:
Call the FBI Election Crimes
Coordinators at your local office.**

Department of Justice
Federal Bureau of Investigation



FEDERAL ELECTION CRIMES



2020

**The FBI's Role
in Protecting
Your Vote**

FEDERAL ELECTION CRIME

In the United States, the election process is the method by which we hold our government accountable and facilitate the peaceful and orderly transfer of power among elected officials. Our system of representative government only works when votes are not diluted by fraudulent ballots and campaign activities are bound by the law. When the legitimacy of elections are corrupted, our democracy is threatened.

While individual states have primary responsibility for conducting fair and free elections, the FBI plays an important role in protecting Federal interests and preventing violations of our Constitutional rights. Generally, Federal jurisdiction in election-related crimes exists when:

- ◆ the ballot includes one or more Federal candidates;
- ◆ an election or polling place official abuses their office;
- ◆ the conduct involves false voter registration; or
- ◆ the activity violates Federal campaign finance laws.

Federal election crimes investigated by the FBI fall into three broad categories:

- Voter/Ballot Fraud
- Civil Rights Violations
- Campaign Finance Offenses

FEDERAL ELECTION OFFENSES

1. Voter/Ballot Fraud

- ◆ A voter intentionally gives false information when registering to vote (e.g., false citizenship claims) or an ineligible person votes in a Federal election (e.g., non-citizens and some felons).
- ◆ Vote buying schemes where the voter receives money or something of value (e.g., money, cigarettes or drugs) in exchange for voting for a specific candidate or party in a Federal election.
- ◆ An individual votes more than once in a Federal election (e.g., schemes to obtain absentee ballots and/or vote in the name of others).
- ◆ An election official corrupts his or her office to benefit a candidate or party (e.g., stuffs a ballot box with illegal ballots or changes a ballot tally).

2. Civil Rights Violations

- ◆ A voter is threatened with physical or economic harm unless the voter declines to vote or casts a ballot a particular way.
- ◆ Efforts to prevent qualified voters from effectively voting by deceiving them as to the time, place or manner of an election (voter suppression).

3. Campaign Finance Crimes – Federal Election Campaign Act (FECA)

- ◆ **Excessive Contributions:** A person gives more than the specified amount of money or things of value to a Federal candidate. The current individual donor limit to a candidate is \$2,800 per candidate per election (primary and general). Other limits apply to donations to and from national political parties and certain political committees. (A comprehensive list of campaign donation limits can be found at www.fec.gov).

- ◆ **Conduit Contributions (Straw Donor Schemes):** A donor asks an individual (such as an employee or family member) to contribute money or things of value to a Federal candidate and provides funds for or reimburses that person for the expense.
- ◆ **Domestic Prohibited Sources:** A corporation, labor organization, bank or government contractor contributes money or things of value to a Federal candidate's campaign.
- ◆ **Foreign Prohibited Sources:** A foreign individual or entity (not to include permanent residents) contributes to any Federal, state, or local candidate or makes independent expenditures to influence any Federal, state, or local election.
- ◆ **Super PACs and Independent Expenditure Organizations (IEOs):** FECA donation limits do not apply to IEO (e.g., Super PAC) contributions or expenditures. However, it is unlawful for these entities to coordinate their activity with a candidate's campaign.
- ◆ **Abuse of Campaign Funds:** This corrupt activity involves schemes to exploit campaign contributions for personal and unauthorized use (e.g., using campaign funds to purchase a boat for personal leisure).

RECENT TRENDS IN ELECTION CRIMES

In 2016 and 2018, there were reports of potential voter suppression through social media platforms. Election Day is always the first Tuesday after November 1st. While there are some exceptions for military overseas using absentee ballots by email or fax, citizens cannot vote online or by text on Election Day. Any reporting that suggests otherwise is incorrect and may be an attempt to suppress voters.

Citizens should also be aware of Fraudulent Political Action Committees, also known as Scam PACs. These PACs target individuals and solicit campaign funds for a specific candidate but never actually donate to the candidate. These scams can potentially be costly to the targeted individuals.