

PHIL WEISER  
Attorney General

NATALIE HANLON LEH  
Chief Deputy Attorney General

ERIC R. OLSON  
Solicitor General

ERIC T. MEYER  
Chief Operating Officer



RALPH L. CARR  
COLORADO JUDICIAL CENTER  
1300 Broadway, 10th Floor  
Denver, Colorado 80203  
Phone (720) 508-6000

**STATE OF COLORADO  
DEPARTMENT OF LAW**

**PUBLIC ADVISORY ON  
ELECTION WORKER AND ELECTION OFFICIAL SAFETY**

– Issued October 13, 2022 –

Attorney General Phil Weiser issues this Public Advisory on crimes against the safety and integrity of election officials and election workers. Colorado law, under the Uniform Election Code of 1992, provides protections for persons who are charged with administering Colorado’s elections and voting processes. This Advisory provides guidance on the crimes of interference with an election official and “doxxing” of an election official or an election worker, penalties, and how to report violations should a person be a victim of, or witness, such crimes. The State intends to ensure the security of all officials and employees charged with safeguarding and administering Colorado’s voting process. As such, the State will enforce the law and will prosecute persons for violations of any laws protecting election officials and workers.

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**CRIMES AGAINST ELECTION OFFICIALS OR ELECTION WORKERS**

The Colorado Uniform Election Code<sup>i</sup> and the State’s criminal laws protect the safety and security of Colorado’s voting process, ballots, and voters—including the safety of Colorado election officials and election workers.

***Interference with an Election Official.*** It is illegal to interfere with an election official while performing his/her duties.<sup>ii</sup> This includes inducing an election official to violate, or refuse to comply with, his/her duty to discharge the State’s election laws. It is also unlawful to threaten, coerce, or intimidate an election official when done so for the purpose of impeding the official from carrying out his/her duties or to retaliate against the official for performing his/her duties.<sup>iii</sup> The crime of interfering with an election official is a Class 2 misdemeanor offense<sup>iv</sup>—enforceable by the State’s district attorneys and attorney general<sup>v</sup>—punishable by a fine of up to \$750, up to 120 days imprisonment, or both.<sup>vi</sup>

***“Doxxing” an Election Official or Election Worker.*** It is illegal to knowingly place on the Internet an election official’s or worker’s, or their immediate family member’s, personal information if doing so poses an imminent and serious threat to the official’s or worker’s safety, or that of his/her immediate family members, and the person in violation is aware or should be aware of such threat.<sup>vii</sup> This crime, informally referred to as “doxxing”, is a Class 1 misdemeanor offense<sup>viii</sup>—enforceable by the State’s district

attorneys and attorney general<sup>ix</sup>—punishable by a fine of up to \$1,000.00, up to 364 days imprisonment in the county jail, or both.<sup>x</sup>

## **PUBLIC QUESTIONS**

***Which Election Officials and Workers are Protected by the Crime of Interference with an Election Official?*** An “election official” includes a county clerk and recorder, election judge, canvassing board member, county commissioner, member of a board that conducts public elections, or any other person engaged in the performance of election duties.<sup>xi</sup> Coercing or intimidating any of these officials and workers for the purpose of disrupting the performance of their duties may be subject to prosecution.

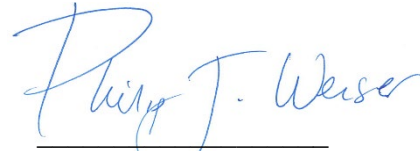
***What Are Some Examples of Interference with an Election Official?*** Interfering with an election official occurs when a person threatens, coerces, or intimidates an election official, and does so with the intent to impact or impede the election official’s duties. Interfering with an election official can also occur when done for the purpose of retaliating against an election official for doing his/her job of administering an election. Examples of such acts—when done for the purpose of retaliating against or impeding an election official from performing his/her duties—may include mailing a threatening letter to a county clerk and recorder, menacingly brandishing a weapon before a poll worker, physically shoving or pushing an election worker, emailing threats to a canvass board member, aggressively confronting and threatening to harm a county election director, or leaving a note threatening to hurt an election worker’s family members. Each of these examples may constitute unlawful interference with an election official. Additional crimes such as assault, battery, menacing, or other violations may also be prosecutable.

***Can Interference with an Election Official Only Occur Inside a Polling Center?*** No. Interference with an election official can occur anywhere that an act of intimidation or a threat is made to an election official. This may include public spaces, private homes, phone calls, mail, or e-mail channels.

## **REPORTING CRIMINAL ACTS AGAINST AN ELECTION OFFICIAL OR ELECTION WORKER**

If you are the victim of, or witness a person who, interferes with an election official, whether at a polling center or otherwise, please contact your local law enforcement agency or county clerk and recorder for immediate assistance, or you may contact the Colorado Attorney General’s Office at (720) 508-6000 x0 or, for English language, please visit <https://coag.gov/about-us/contact-colorado-office-attorney-general/> or for Español, please visit <https://coag.gov/resources/recursos-en-espanol/>. If an emergency, please call 911.

For additional information on voting procedures, please contact the Colorado Department of State Elections Division, or visit Department of State voter resource webpage at <https://www.sos.state.co.us/pubs/elections/vote/VoterHome.html?>.



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**PHIL WEISER**  
Attorney General

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<sup>i</sup> COLO. REV. STAT. § 1-1-101 *et. seq.*

<sup>ii</sup> *Id.* at § 1-13-701(1).

<sup>iii</sup> *Id.* at § 1-13-701(2).

<sup>iv</sup> *Id.* at § 1-13-701(4).

<sup>v</sup> *Id.* at § 1-13-101.

<sup>vi</sup> COLO. REV. STAT. § 18-1.3-501(1)(a.5).

<sup>vii</sup> *Id.* at § 18-9-313.5(2)(a).

<sup>viii</sup> *Id.* at § 18-9-313.5(2)(b).

<sup>ix</sup> COLO. REV. STAT. § 1-13-101.

<sup>x</sup> COLO. REV. STAT. § 18-1.3-501(1)(a.5).

<sup>xi</sup> *Id.* at § 18-9-313.5(1)(b), (c).