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Before, During, and After: A Two-Week Election Guide

The Strategy Behind the Threats

As we all know by now, for the first time in modern American history, the vast resources of the federal government are being turned against our elections. The Administration is engaging in a three-part election interference strategy: **Deceive** the American people, **Disrupt** our elections, and **Deny** the results of free, fair, and secure elections.

DECEIVE	DISRUPT	DENY
Supercharge conspiracies and false claims from inside the federal government itself.	Deploy federal power, the threat of violence, and rule changes against voters, officials, and organizations.	If preferred candidates lose, work to overturn or refuse to accept the result.

This guide provides an overview of how key election threats may play out in the window around Election Day, including warning signs to be on the lookout for, where to turn for guidance and information, and mobilization priorities for each stage. Our hope is that leaders can utilize this resource to understand pivotal moments, minimize panic, and organize to protect their community's voice.

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The 72 hours before Election Day

What is Happening Procedurally

- **Final days of early voting:** It is likely the final days of early voting in states with early vote periods.
- **Final preparation by election officials:** Election officials are making final preparations for Election Day – transferring paper ballots and equipment, final training for election workers, and preparation of necessary signage and materials.
- **Preprocessing of mail ballots:** In some states, pre-processing of mail ballots by election officials is underway.
- **Vote curing for early voters:** Voters who had errors on their mail ballots may be contacted about remedying those errors. Voters who voted with a provisional ballot during early voting may have the opportunity to remedy (or that may occur at a provisional ballot meeting after Election Day).

Most Likely Threats

DECEIVE

- **Voting disinformation:** Disinformation (including via supposed "voter outreach") about polling locations, hours, and eligibility requirements.
- **False claims about ineligible voters:** Escalating claims about ineligible or noncitizen voters on the rolls, timed to make it difficult for officials to respond amidst voting.

DISRUPT

- **Zombie lawsuits:** Last-minute litigation ("zombie lawsuits") seeking to change procedures, which rarely succeeds this late but generates coverage and can be pointed to later during Deny.
- **Law enforcement surges:** Escalating DHS and law enforcement deployments in communities or in the vicinity of polling places paired with ongoing threats about agents at polling places.
- **Politicized investigations:** Announcements of investigations into voting groups or election officials designed to intimidate and cause chaos.

Legal Guardrails Protecting Voters

- **No mass purges within 90 days of election day:** Federal law bars states from completing systematic voter removal programs within ninety days of a federal election. That window started on August 5, so mass purges are not available right now and will be promptly challenged in court. Because removals are constrained, expect claims rather than actions. The pressure moves to rhetoric because the tool is unavailable.

- **No armed agents or troops at polling locations:** Sending armed federal agents or military troops to polling places is illegal under federal law, specifically 18 U.S.C. § 592.
- **No voter intimidation:** Federal law protects voters against intimidating threats, not just acts. State laws also protect election officials and staff from harassment and intimidation. While there are special protections around polling places, voter intimidation is illegal no matter where it occurs (including online).

Staying Connected and Aligned

- Boiler rooms – including state election protection coalitions and ESRN legal, mobilization and stakeholder domains – are up and running. They will be fielding tickets and sorting signal from the noise.
- ESRN domains will send daily updates with key info about developments on the ground and messaging support. Resources will also be shared via the Signal chat.

Mobilization Priorities

- **Get Out the Vote** – prioritize supporting your constituency by getting out and voting.
- **Amplify accurate, de-escalatory information.** Express confidence that there is a way for everyone to vote safely.
- **Channel defiance, collective power, joy, and community solidarity**. Encourage voting together. The administration is trying to block voters from voting because they know voters are powerful. Make the community response and action the main story. Share pictures and videos of voting events online and with friends and family via group chats.

Election Day

What is Happening Procedurally

- **In-person voting** is ongoing nationwide.
- **Mail ballots processing begins:** In some states, processing mail voting begins or continues on Election Day (in others it may only begin after the polls close).
- **Election monitoring:** Both partisan and non-partisan observers will be deployed at polling places around the country to observe and validate the process. DOJ and Congressional monitors will also be deployed; however, they are prohibited from interfering with the process.
- **Election protection boiler rooms** will be live nationwide, fielding reports from observers and hotline calls and working with local officials and voting rights attorneys to remedy issues as they arise.
- **Ballot tabulation:** As polls close, ballot tapes from in-person Election Day votes will be the first public results. In states that pre-process mail and/or early votes, those returns may also come in quickly. In states that begin processing later, reports on those categories of ballots may take days or even weeks, especially in states that allow ballots to be post-marked on Election Day.

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Expected and Ordinary Issues

- **Minor and manageable equipment failures in individual precincts.** In 2024, these included a scanner that would not read ballots in one Pennsylvania county and, in another location, election workers who could not locate a key. Every part of an election is run by people and is therefore subject to human error. Safeguards exist so that the same people catch and correct issues quickly.
- **Long lines or delayed opening in some jurisdictions**, typically addressed by extending voting hours.
- **Technical issues,** including problems with voter registration lists or software glitches, generally resolve quickly by state or local officials.

Most Likely Threats

DECEIVE	• Isolated equipment problems being presented as evidence of systemic failure or as justification for investigations designed to intimidate election officials and expand federal power.
DISRUPT	• Armed federal agents at or near voting locations. • Rumors about federal law enforcement deployments may also depress turnout or scare voters. • Disruptions at polling places. In 2024, several dozen polling places across four states received bomb threats, which the FBI determined were hoaxes originating from Russian email domains. Voting hours were extended and voter impact was minimal.
DENY	• Premature claims of victory before enough ballots are counted to know. • Claims that results are “changing” as ballots are processed.

Legal Guardrails Protecting Voters

- **No armed agents or troops at polling locations:** Sending armed federal agents or military troops to polling places is illegal under federal law, specifically 18 U.S.C. § 592.
- **No DOJ investigations before certification:** DOJ's own policy bars overt investigative steps in alleged ballot fraud cases until results are certified, because investigations can affect elections.
- **Challenges need a legal basis:** Voter challenges must have a legitimate legal basis, not just a name on a list. Challenges based solely on a database with dubious claims are legally insufficient in most (but not all) states, and poll workers can and should dismiss frivolous challenges.

- **Provisional ballots:** In most states, voters who have been purged have the right to cast a provisional ballot (a ballot that is set aside and counted after officials verify the voter's eligibility).

Staying Connected and Aligned

- Boiler rooms – including state election protection coalitions and ESRN legal, mobilization and stakeholder domains – are our crucial hubs of information. They will be fielding tickets and sorting signal from the noise.
- ESRN domains will send regular updates throughout the day highlighting any issues and recommended messaging. Resources will also be shared via the Signal chat.
- State and local officials will generally be giving regular updates – these are high-quality sources of information about how the process is proceeding.
- Report issues to 866-OUR-VOTE.

Mobilization Priorities

- **Get Out the Vote** – prioritize supporting your constituency by getting out and voting.
- **Amplify accurate, de-escalatory information.** Express confidence that there is a way for everyone to vote safely and remind everyone that safe, accurate processing of results takes time.
- **Late in the day, clearly communicate immediate-term priorities** (identified in coordination with local election protection table) – recount, ballot cure, observing ballot processing, and/or mobilization.

The 72 hours after polls close

What is Happening Procedurally

- **Mail ballots are being processed,** particularly in states that do not allow pre-processing. This process is open to public observation.
- **Curing ballots:** Voters who have errors on their mail ballots or had to cast a provisional ballot have the opportunity to cure those defects and have their vote counted. In some states, provisional ballots may be reviewed in public meetings.
- **Accuracy checks:** Election officials are performing checks to confirm the accuracy of initial results.
- **Chain of custody and ballot storage:** Chain of custody for all materials is carefully maintained throughout the process and materials are secured and stored as processing is complete.

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Expected and Ordinary Issues

- **Early returns will not match final results.**
  - Different categories of ballots are counted at different times; parties differ in how they encourage supporters to vote, different communities process votes at different speeds, and sometimes even with different technology.
  - One candidate may appear to lead early, and others may close the gap as remaining ballots are counted. This "mirage and shift" is a function of counting order. It is not evidence that anything changed or anything nefarious.
- **Some states will take longer to process ballots.** For a variety of reasons, states take different amounts of time to process results. Some states can process mail ballots in advance; those states often have results quickly. Other states accept ballots mailed on Election Day and/or process ballots after Election Day, slowing down final results as we wait for all ballots to arrive and be counted.
- **Small errors in the process** – misplaced USBs, accidental double counts, errors in tabulation – inevitably happen when processing millions of ballots quickly. Quick reporting on these errors is reflective of the process working – this is why there are checks and transparency throughout the process.

Most Likely Threats

DECEIVE	• Batches of ballots counted later being characterized as “suspicious” or as having “appeared from nowhere.” • The pace of the count in California and other slow-counting states being presented as evidence of a problem.
DISRUPT	• Calls to stop counting, usually from whichever side is ahead at the moment. • Attempts to disrupt the process by citizen groups – potentially in coordination with or endorsement from support from federal officials. • Attempts to intimidate election officials either by private parties or federal government actors, including singling out specific individuals for defamatory attacks or threatening government investigations.
DENY	• Premature claims of victory, including attempts to claim that partial results on election night are somehow reflective of the overall legal will of the voters. • Claims that the results have been “rigged” and that certification must not proceed without some process not provided for by law (potentially federal intervention or claims that some biased third party should lead an audit).

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Highest Risk Threats

- **Attempts to seize ballots, machines, or records mid-process.** This is when election materials are most vulnerable, because the count is incomplete and the materials are in motion.
- **Disputes over observer access at counting facilities.** Claims that observers are being "excluded" from observation, particularly at mail ballot processing venues where it is necessary to balance transparency with protecting voter confidentiality. There is a high risk of these conflicts escalating.
- **Litigation filed to delay or halt counting**, especially high risk with support from state-level actors.

Legal Guardrails Protecting Voters

- **Federal employees are barred from interfering in federal elections** (18 U.S.C. § 595). The attorney general can only inspect or copy certain election records, not seize originals, after an election, and only after stating a legitimate purpose (52 U.S.C. § 20703). State officials can always decline and demand a court order. Officials must already preserve election records for at least 22 months, and every state has detailed laws defining the chain of custody and security of election materials.
- **An investigation is not an injunction.** Election officials can and should keep doing their jobs unless a court order specifically stops them. Courts are pushing back: a Trump-appointed judge quashed a DOJ subpoena seeking the personal information from Fulton County 2020 election workers as an "arbitrary fishing expedition" which would chill participation in future elections.
- **Courts generally rule against halting the vote count.** Courts have generally held that halting vote counts creates irreparable public harm and is not appropriate in ordinary election disputes. In 2020, the Supreme Court rejected the Trump campaign's emergency motions seeking to stop counting or exclude mail ballots.

Staying Connected and Aligned

- State election protection tables will be directing volunteer mobilization and ballot cure programs.
- The designated ESRN legal lead will be monitoring developments closely, in partnership with legal partners, and is prepared to bring litigation to protect the process and ensure every eligible ballot is counted.
- ESRN will provide regular updates and communication guidance as facts develop. Constituency-specific and/or state-specific cross-constituency briefings and coordination sessions may be called to share information and coordinate strategy.

Mobilization Priorities

- Communicating repeatedly that results on election night are unofficial everywhere. Official results come from the canvass, which takes days or weeks. It takes time to ensure accurate results; delay is the process working as designed.

- Supporting mail ballot cure, provisional ballot cure, and public observation of ballot processing.
- Depending on the situation, amplify rapid response messaging calling for all the votes to be counted and election processes to be respected.
- If needed, plug into mobilization efforts which could include large-scale mass mobilizations or strategic pressure campaigns on key actors

Week One after Election Day

What is Happening Procedurally

- **Conducting the canvass:** The canvass is well underway. Officials are confirming every valid ballot and reconciling returns against poll books. Mail ballots that arrived after Election Day, but were postmarked in time, are being processed in states that accept them.
- **Provisional ballot verification and ballot curing:** Provisional ballots are being verified individually. Voters with correctable problems on their ballots are being notified, and deadlines to cure errors on ballots and provisional ballots are running.
- **Recount determination:** Recount thresholds are becoming clear as margins firm up.
- **Procedural audits**: State officials may announce random audits or audits triggered by close margins.

Highest Risk Threats

DECEIVE

- Election deniers are likely honing in on favored conspiracies in tight races – likely along themes we are familiar with: claims of ineligible and noncitizen voters participating and conspiracies about ballot processing or minor errors or miscommunication that have already been acknowledged.
- Conspiracies based on misunderstandings of the data and process are likely during this window. For example, more people are credited with voting than there are ballots counted, which is often the case because voters whose provisional or mail ballots are rejected still get credited with having voted.

DISRUPT

- Canvassing activities may face disruption from observers or outside groups.
- Investigations announced into specific races or officials. An investigation during the canvass can stall certification without ever producing a charge.
- Attempts to seize ballots, machines, or records mid-process. We are still in the pre-certification window when election materials are most vulnerable, because the count is incomplete and the materials are in motion.
- Demands to examine or hand-count ballots outside established recount procedures.
- Mass voter challenges based on conspiracies or compiled lists claiming certain voters are ineligible.

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DENY

- Pressure on county officials to refuse or delay certification, likely well before the first deadlines arrive.
- Premature claims of victory or claims that the results are rigged – before results are even final.

Legal Guardrails Protecting Voters

- **Certification is a mandatory duty**, and legislatures made it that way on purpose to stop partisan sabotage. More than 30 local officials in nine states have refused to certify since 2020, but every attempt has failed. In 20 states, an election denier currently holds statewide office with election oversight power.
- **Challenges must have a legitimate legal basis**, not just a name on a list. Challenges based solely on a database with dubious claims are legally insufficient in most (but not all) states, and poll workers can and should dismiss frivolous challenges.
- **Recount procedures are spelled out in state law**, and most states have automatic recount thresholds (usually 0.5% or less). Recounts typically involve a request, the election authority or bipartisan panels conducting the recount, observers from both sides being present, and results being certified.
- **Key election processes are open to public observation** which builds trust in the process and helps provide key testimony legitimizing the results if they are challenged.

Staying Connected and Aligned

- Confirm deadlines and key dates for your state here.
- State election protection coalitions will be responsible for mobilizing volunteers for cure programs and observation of ongoing canvassing activities.
- The designated ESRN legal lead will be monitoring developments closely, in partnership with legal partners, and is prepared to bring litigation to protect the process and ensure every eligible ballot is counted.
- ESRN stakeholder and mobilization domain will be providing regular updates and communication guidance as facts develop. Constituency-specific and/or state-specific cross-constituency briefings and coordination sessions may be called to share information and coordinate strategy.

Mobilization Priorities

- Supporting mail ballot cure, provisional ballot cure, and public observation of ballot processing.
- Ready to join rapid response communications and/or mobilization efforts depending on the situation.

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- Communicating creatively and on repeat that the process is trustworthy and working how it is supposed to. Name the pretext – efforts to halt the count or declare victory early are about manufacturing a pretext to reject the 2026 results before votes are even counted.
- Support election officials loudly and repeatedly.

Week Two after Election Day

What is Happening Procedurally

- **Certification:** Many counties require certification during this period. Exact dates vary by state.
- **Recounts (where applicable):** Automatic recounts begin as required by state law when the margin of victory is smaller than specified thresholds.
- **Election contests** – the process to challenge a result – can be filed in most states only after certification is complete.
- **Counting continues in California and other states** with grace periods and long curing windows.

Highest Risk Threats

DISRUPT

- The resumption of voter removal programs. The Administration may argue that the restriction on systematic purges expires with the election, and removals conducted afterward can be recast as evidence that ineligible people voted. hours
- Announcements of federal data reviews of state voter rolls, which DHS has said it intends to conduct after voting closes.
- Federal seizures of election materials are still a risk – especially in localities that have not yet certified their results.

DENY

- Individual county boards and/or state officials in states where they have a role in certification are voting to delay or refuse certification. More than 30 local officials in nine states have refused to certify since 2020, but every attempt has failed.
- A refusal built on a real but minor administrative issue. After the 2024 election, a small number of county board members in Colorado voted against certifying over an isolated password problem that had no effect on the outcome. The state certified on time regardless.

Staying Connected and Aligned

- As threats have clarified, expect updates from ESRN, including briefings and opportunities to engage with subject matter experts.
- ESRN mobilization and stakeholder domains will be in close coordination with the legal domain

to balance mobilization and legal priorities.

- Expect divergence in state strategies led by in-state movement leaders based on variations in state law and procedure, different tactics based on the specific political environment and players, threat environment, and capacity.

Mobilization Priorities

- Fielding a diverse range of validators of the results and educating the public to push back against disinformation
- Mobilization and communications to push back against denial attempts
- Supporting election officials loudly and repeatedly

Beyond two weeks...

- State certification deadlines follow county certification, on timelines set by each state.
- Certified winners receive certificates of election signed by whichever official state law designates.
- The new Congress convenes at noon on January 3, 2027. The terms of all House members end at that moment, and members-elect vote for a new Speaker and then are sworn in. The 2/3rds of the Senate that is *not* up for re-election votes to admit the newly elected Senators.
- A member-elect can object to the swearing in of another member-elect. A simple majority vote is all it takes to overcome the objection.
- If party control of the House or Senate turns on a small number of contested races, there could be an attempt to subvert the usual procedure.

Key Facts Throughout

- Elections are administered by states and thousands of local officials. The federal government does not administer elections and has no authority to alter results.
- Certification is a mandatory ministerial duty. Officials have no legal discretion to refuse, and courts can compel it. Every certification refusal attempted since 2020 has ended in certification.
- Virtually all ballots are recorded on paper, so any count can be checked against the physical record.
- A long count is evidence that safeguards are running, not that they failed.
- Errors that surface publicly are errors the detection process caught.

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Communication Principles around Election Threats

DON'T

- ✖ Make threats seem more widespread, accepted, or inevitable than they are.
- ✖ Repeat threats with no concrete steps to navigate them.
- ✖ Dismiss the impact of threats – intimidation doesn't need to be carried out to be felt.
- ✖ Directly repeat disinformation, even when debunking claims.

DO

- ✔ Plan and prepare now for rapid response.
- ✔ Verify something is true before taking action.
- ✔ Acknowledge feelings of anxiety and unequivocally condemn voter intimidation. Pivot to agency: encourage people to get engaged and join a local group for collective action.
- ✔ Encourage voter participation and provide concrete options for voters to get registered, make a plan early, and vote. Repetition is helpful when sharing voting information.
- ✔ Elevate community voices and community response as the main story.
- ✔ Name the Administration's motivation and misplaced priorities (e.g., the President is obsessed with his stale voter fraud lies instead of lowering your costs).