



**NATIONAL POLICE SERVICE**

**POCKET GUIDE  
TO ELECTION SECURITY**

**2022**

## **1. Introduction**

Provision of security during an election process is a key component of ensuring credible elections and meeting the Constitutional requirements. The key agency involved in provision of security is the National Police Service (NPS). In doing so, they support the Independent Electoral and Boundaries Commission (IEBC) in discharging their mandate on elections. This pocket guide is intended to act as a quick reference for police officers and election personnel involved in election security arrangements. It summarizes the election offences so as to aid in their prevention, detection and prosecution. It also contains practical information on the interaction between security personnel and election officials in the election process.

## **2. Roles and Responsibilities of Police Officers**

For the purposes of Section 105 of the Elections Act, during elections, a police officer shall mean and will include an officer of the NPS and any other special

officer appointed and gazetted by the Inspector General to support and provide security during elections. Such an officer shall be deemed to be an election official and shall take instructions from the IEBC. Due to the magnitude requirements and as a result of increased security threat, the Inspector General may be required to draw additional officers from other state security agencies to support in maintaining elections security. Once designated as election security personnel, police officers shall be assigned duties and subject to direction and control of an IEBC Officer at that level.

While deployed to the IEBC during election period, the roles and responsibilities of police officers shall include:

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- Providing security at the venue where the registration of candidates is being held;
- Safeguarding the personnel, materials and equipment at the Polling Station or Tallying Centre,

- Assisting the Returning Officer in regulating the admission of authorized persons into the Tallying Centre.
- Safeguarding the polling process at the Polling Stations;
- Safeguarding the process of counting and tallying of the votes;
- Assisting the Presiding Officer in regulating the flow of voters and other authorized persons in the Polling/Counting Stations;
- Providing security during transportation of election materials and equipment;
- Providing security for election officials, election materials and equipment at the Polling Station.
- Complying with lawful instructions from the Presiding Officer/Returning Officer; and
- Assisting in enforcing Ministry of Health Covid-19 Protocols at the Polling and Tallying Centers

In addition, security officers will generally collaborate with IEBC during electioneering period to ensure that security challenges and threats that may compromise the elections are effectively and efficiently managed. This task is the responsibility of all security officers and not just those designated as election security personnel.

### **3. Roles and Responsibilities of Returning Officer (RO)**

A RO has overall responsibility for elections in a ward, constituency and county. In the run up to elections they will also coordinate security arrangements with election security agencies. The Presiding Officers, to whom election security relate to more closely on Election Day, report to a RO in every constituency.

RO's responsibilities include:

- Coordinating transportation of election materials;
- Receipt of nomination papers from candidates and clearance for elections;

- Holding security meetings with election security personnel' candidates and other relevant stakeholders;
- Coordinating polling in a Constituency; and
- Tallying and declaration of results of the electoral area (Ward and Constituency or County for County RO); and
- Recruiting, training and deploying other election officials.

#### **4. Role of the Presiding Officers (PO)**

A PO is the overall supervisor of a Polling Station.

His/her roles and responsibilities include;

- Laying out and demarcating the Polling/Counting Stations;
- Assigning duties to Deputy Presiding Officer (DPO), police officers and clerks;
- Opening of polling;
- Presiding over elections at their assigned Polling Stations;

- Ensuring law and order is maintained at the Polling Station;
- Ensuring security and safety of election materials and welfare of election officials working under him/her; including giving instructions to the police officers on duty at the Polling Station;
- Regulating the flow of voters and other authorized persons in the Polling/Counting Stations;
- Closing of polling;
- Layout of Polling Station for counting;
- Counting, tallying and announcement of results.
- Transmission and posting of results;
- Verifying, securing and retrieving electoral materials and equipment;
- Submitting polling station's results to RO; and
- Ensuring that the MOH Covid-19 protocols are adhered to.

DPO deputizes and supports the PO in performing the above functions.

## **5. Polling/Counting/Queuing/Covid-19 compliance Clerks**

There are clerks who assist in the voting and counting procedures. The clerks are located at designated positions in the Polling Station and perform different duties. Their duties and responsibilities include:

- Controlling queues and directing voters to respective polling rooms, done by queuing clerks;
- Identifying voters before allowing them to vote;
- Confirming that voters have not voted at that Polling Station or elsewhere;
- Issuing ballot papers to voters who have duly identified themselves and are in the voters' register;
- Assisting the Presiding Officers with the counting of votes after voting is completed;
- Assisting in laying out the polling and counting room; and



- Performing any other official duty as may be assigned by the Presiding Officers including reinforcing MOH Covid-19 protocols.

### **6a) Admission to the Tallying Centre**

Persons allowed into the Tallying Hall

- Candidates and their spouses;
- Accredited agents;
- Authorized IEBC Staff;
- Accredited Observers;
- Accredited Media;
- Police officers on duty;
- Election officials;
- DRO/DCRO; and
- RO/CRO.

### **6b) Admission to the Polling Station**

The Presiding Officer shall regulate the flow and number of voters to be admitted into the Polling Station. Once the voter has cast his/her vote, the voter will be requested to leave the Polling Station immediately. No

other persons may be allowed to enter the Polling Station except;

- The candidates;
- The party or candidate's agents;
- The election officers on duty;
- A person authorized to assist a voter;
- The IEBC Commissioners and other Commission officials;
- Accredited observers; and
- Accredited Media.

## **7. Role of Party Agents and Observers**

Party Agents and Observers observe the electoral process and polling to ensure credibility and build confidence in the process. They are entitled to stay at the Polling Station throughout polling and counting as long as they are accredited. They also have a right to obtain official information from election officials.

## **8. Order of events before Polling**

### **(A) Before Polling**

A day before the polling day, the PO will inspect the Polling Station to reconfirm suitability and availability and advise on any adjustments required to improve convenience of voting. On polling day, the PO in full view of party/candidate agents and observers present, will prepare the polling place for polling. The PO will, remove all unnecessary materials from the polling place and ensure each of the following:

- Availability and adequacy of polling materials, equipment and transport;
- Security of the Polling Station;
- Demarcation of the Polling Station;
- Display posters and banners;
- Layout of the polling room; and
- Polling booths are mounted and each has necessary materials to mark ballot papers.

## **9. Polling Time**

Voting shall commence at 6 o'clock in the morning and end at 5 o'clock in the evening on the polling day. Voters who are in the queue by 5.00pm will be allowed to vote. In the event of delayed opening for valid reasons, or disruption of polling process, the Presiding Officer will extend polling to recover the lost time. Counting and tallying shall be undertaken at the Polling Station where voting took place as soon as polling is complete.

## **10. Election offences**

Election offences may relate to registration of voters, register of voters, voting and election staff.

### **(A) Offences relating to voting**

In regard to voting, it is an offence to;

- forge, counterfeit, deface or destroy any ballot paper or the official perforation, stamp or mark on any ballot paper;

- supply without authority any ballot paper to any person;
- sell or offer for sale any ballot paper to any person;
- purchase or offer to purchase any ballot paper from any person;
- have a ballot paper which has been marked with any official perforation, stamp or mark while not being entitled to be in possession of any such ballot paper;
- place into any ballot box anything other than the ballot paper;
- take out of a Polling Station any ballot paper or be found in possession of any ballot paper outside a Polling Station;
- remove election materials from a Polling Station before, during or after an election without authority to do so;

- destroy, take, open, dispose or interfere with any election material in use or intended to be used for the purposes of an election without authority;
- print any ballot paper or what is capable of being used as a ballot paper at an election without authority;
- manufacture, construct, import, possess, supply or use, or cause to be manufactured, constructed, imported, supplied or used, any appliance, device or mechanism by which a ballot paper may be extracted, affected or manipulated after having been deposited in a ballot box during the polling at any election for the purposes of an election;
- make any mark on any ballot paper issued to any person other than to himself/herself without the authority of the Presiding Officer;
- vote at any election when they are not entitled to vote;
- vote more than once in any election;

- interfere with a voter in the casting of his vote in secret;
- pretend to be unable to read or write so as to be assisted in voting; or
- pretend to be visually impaired or suffering from any other disability so as to be assisted in voting,

**(B) Offences by members and staff of the Commission.**

- make, in any record, return or other document which they are required to keep or make under such written law, an entry which they know or have reasonable cause to believe to be false, or do not believe to be true;
- permit any person whom they know or have reasonable cause to believe to be able to read or write to vote in the manner provided for persons unable to read or write;
- permit any person whom they know or have reasonable cause to believe not to be visually

impaired or a person with disability to vote in the manner provided for persons who are visually impaired or persons with disability, as the case may be;

- willfully prevent any person from voting at the polling station at which they know or have reasonable cause to believe such person is entitled to vote;
- willfully reject or refuse to count any ballot paper which they know or have reasonable cause to believe is validly cast for any candidate in accordance with the provisions of such written law;
- willfully count any ballot paper as being cast for any candidate which they know or have reasonable cause to believe was not validly cast for that candidate;
- interfere with a voter in the casting of his vote in secret;



- where required to declare the result of an election, fails to declare the results of an election;
- purport to make a formal declaration or formal announcement of an election result except in the case of a member, officer or person authorized to do so;
- do or omit to do anything in breach of official duty without reasonable cause;
- collude with any political party or candidate for purposes of giving an undue advantage to the political party or candidate;
- fail to prevent or report to the Commission and any other relevant authority, the commission of an electoral malpractice or offence.

### **(C) Offences Relating to Technology**

It is an offence to:

- steal or intentionally cause damage to electronic equipment;

- knowingly or intentionally conceal, destroy, alters a computer source code or cause another to do so;
- with the intent to cause or knowing that he is likely to cause wrongful loss or damage to the public or any person, destroys or deletes or alters any information residing in a computer resource or diminishes its value or utility;
- without authorization, accesses the whole or part of any computer system;
- intercepts, by technical means and without authorization, any non-public transmission of computer data to, from, or within a computer system including electromagnetic emissions from a computer system carrying such computer data;
- intentionally or recklessly alters or interferes with the functioning of a computer or computer network by inputting, transmitting, damaging, deleting, deteriorating, altering or suppressing

computer data or a computer program, electronic document, or electronic data message without authority, including by the introduction or transmission of viruses;

- uses, produces, sells, procures, imports, distributes, or otherwise makes available, without lawful authority a device or adapted primarily for committing technology offences, a computer password, access code, or similar data by which the whole or any part of a computer system may be accessed with intent that it be used for the purpose of committing an election offence;
- knowingly inputs, alters, or deletes computer data with the intent that the result be considered or acted upon for legal purposes as if it were authentic, regardless of whether or not the data is directly readable and intelligible; and

- intentionally acquires, uses, misuses, transfers, alters or deletes another person's identification information,





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