

CHEROKEE COUNTY BOARD OF ELECTIONS AND REGISTRATION

POLL WATCHER AND AUDIT MONITOR POLICY

The Cherokee County Board of Elections and Registration (BOER) adopts the following policy for Poll Watchers and Audit Monitors:

This policy is intended to provide guidance for poll workers, poll watchers and audit monitors in compliance with Georgia election laws, rules and regulations. The policy aims to properly balance the rights of voters to privacy and access to voting without interference; poll watchers' and audit monitors' interests in access to elections processes; and poll workers' duties to ensure secure and safe elections in compliance with elections requirements. These policy provisions constitute reasonable regulations as contemplated by OCGA §21-2-408 (d) to avoid interference with the conduct of the election, and accordingly, do not constitute material interruption or improper and material interference with poll watchers' and audit monitors' duties as described in OCGA §21-2-566 (as amended by HB 1207 once it becomes law).

I. Qualifications

- A. Poll watchers and audit monitors must be designated, credentialed and trained by their local party according to the procedures and time frames set forth in OCGA §21-2-408 (a), (b), (c), (e) in order to qualify to serve as a poll watcher.
- B. The written designation of poll watchers and audit monitors shall contain a certification under oath that the named poll watchers have completed the training required by OCGA §21-2-408(e). Absence of this certification shall disqualify the poll watcher or audit monitor.
- C. Candidates in an election may not serve as poll watchers. OCGA §21-2-408(e).

D. Poll watchers shall wear badges issued by the elections office at all times while serving as a poll watcher. OCGA §21-2-408(d).

E. Poll watchers must appear only at their assigned polling or counting locations on the dates of these assignments. Poll watching at polling or counting locations not previously assigned, or on dates not previously assigned, will not be allowed.

II. Poll Watcher Provisions

A. As a general rule, poll watchers may observe the election processes as described herein so long as they do not interfere with the poll workers or voters. SEB Rule 183-1-12-.11. Poll watcher activities are subject to the discretion of poll managers on duty. OCGA § 21-2-408(d).

i. In light of some voters' concerns that voting equipment can be hacked with simple tools, such as a ball point pen, a poll manager's ability to ensure ballot security is paramount. Accordingly, regardless of the provisions set forth herein, poll managers may restrict any poll watcher activities if the restriction is necessary to ensure that the election staff can properly monitor the polling activities and safeguard the elections process.

ii. The need to secure and monitor the activities generally conducted in an enclosed space is of the utmost concern. The enclosed space of a precinct begins at the poll pads and includes the voting area.

B. OCGA §21-2-408(d) (as amended by HB 1207 once it becomes law) states that poll watchers shall be allowed to sit or stand as close as is practicable to the observed activity to allow the poll watcher to see and hear the poll worker being observed. Examples of sitting or standing too close to be practicable include but are not

limited to, sitting or standing: 1) so close to a poll worker, voter, BMD or scanner that the poll watcher's presence interferes with a poll worker's duties, a voter's privacy or a voter's access to voting; or 2) at a location that would allow the poll watcher access to information or the voting process that is prohibited.

C. Permitted Activities

- i. Poll watchers may be permitted in the enclosed space for the purpose of observing the conduct of the election and the counting and recording of votes. OCGA §21-2-408(d).
- ii. Poll watchers may accompany and observe poll managers or their designees as they record the vote counter information on BMDs and scanners: 1) so long as voters are not using the voting machines; and 2) at the direction of the poll manager and in conjunction with poll workers' routine duties (and not solely upon request of the poll watcher).
- iii. Poll watchers may view documents listed in OCGA §21-2-72 unless otherwise restricted by statute. Such review shall be done in the presence of an Elections Office employee and only when the document is not otherwise in use.
- iv. Poll watchers shall immediately report observed infraction or irregularities to the Elections Office, not to the poll manager on site. OCGA §21-2-408(d).

D. Prohibited Activities---Poll watchers are prohibited from:

- i. Watching a voter cast a ballot or otherwise interfering with a voter's privacy. OCGA §21-2-568.1.
- ii. Talking to voters in the enclosed space. OCGA §21-2-408(d).

- iii. Attempting to influence, intimidate or block voters. OCGA §21-2-408(d); OCGA §21-2-566.
- iv. Interfering with election staff, poll workers, their duties or the election process. OCGA §21-2-408(d); OCGA §21-2-566.
- v. Intimidating poll workers or election staff. OCGA §21-2-408(d); OCGA §21-2-566.
- vi. Committing violations set forth in OCGA §21-2-566 (as amended by HB 1207 once it becomes law)
- vii. Viewing the list of electors, and therefore viewing poll pads or other documents that contain lists of electors. OCGA §21-2-408(d).
- viii. Viewing information that is restricted by OCGA §21-2-225(b)
- ix. Using photographic or other electronic monitoring or recording devices. OCGA §21-2-408(d).
- x. Using cellular telephones. OCGA §21-2-408(d).
- xi. Viewing the contents of voting machines. OCGA § 21-2-72.
- xii. Viewing records or items that compromise security OCGA 50-18-72(a)(25)(A)(iv), (v). Seals applied to voting equipment consist of security measures and therefore cannot be viewed by poll watchers.
- xiii. Participating in any form of campaigning that is prohibited by Georgia election laws and Cherokee County BOER policies within 150 feet of the polling place. OCGA §§ 21-2-

408(d), -413(d), -414(a). Topics that are prohibited include but are not limited to:

- A. candidates;
- B. campaign issues;
- C. slogans or messages;
- D. party platforms or ideals;
- E. any issue that appears on the ballot in the form of a referendum or question to the voters;
- F. the election process, except to ask reasonable questions of poll workers related to poll watcher duties to observe the process. OCGA §21-2-408(d).

xiv. Ignoring or violating the poll manager's directions or requirements. OCGA §21-2-408(d).

Violations of this policy after due warning may result in removal from the polling or counting location, submission of complaints to law enforcement or charges filed with the State Elections Board. OCGA §21-2-408(d).

III. Audit Monitoring

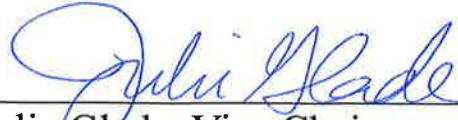
- A. Audit monitors will be provided a monitoring area that will allow them to observe auditing instructions and the auditing process.
- B. Audit monitors may not use photographic or other electronic monitoring or recording devices during the auditing process. OCGA §21-2-568.2.
- C. Audit Monitors may not interfere with the auditing process, intimidate auditors or attempt to influence auditors.
- D. Audit monitors may not view records, contents or items listed in the Prohibited Activities section above.

E. Violations of this policy after due warning may result in removal from the auditing location, submission of complaints to law enforcement or charges filed with the State Elections Board.

Adopted May 6, 2024



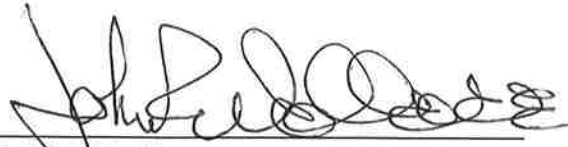
Steve Divine, Chair



Julie Glade, Vice Chair



Sheree Giardino, Secretary



John Wallace, Board Member



Larry Hand, Board Member