



Cherokee County Elections

Polling Place Photography Policy

The Cherokee County Department of Elections and Registration must approve all requests to use photographic devices in a polling place. When Cherokee County Department of Elections and Registration grants approval, it will be in writing via email.

Permission must be requested by the following deadlines:

- **Election Day-** Request must be received by 5p.m. on the Monday prior to Election Day.
- **Absentee Ballot Processing-** Request must be received by 5 p.m. on the Friday prior to the start of the Ballot Processing period.
- **Logic and Accuracy Testing-** Request must be received by 5 p.m. on the day prior to the announced start of the Logic and Accuracy Testing period.
- **Submission of Request-** Request must be emailed to Anne Dover, Director. The email address is adover@cherokeecountyga.gov.

A photo ID, along with a copy of the email from Cherokee County Elections and Registration, must be presented to the Poll Manager upon arrival. The Poll Manager will direct the photographer to a suitable area.

The following conditions must still be observed:

- **For still images:** Photos may be taken of voters in the process of voting, and election equipment, if the photographic device is directed toward the back or side of the unit so that the face of the equipment cannot be captured and no reflections of the face of the equipment can be captured.
- **For moving images:** Videography is allowed if it is a short duration illustrating the general impression that voting is taking place. Videos may be taken of voters in the process of voting, and election equipment, if the video device is directed at the back of side of the unit so that the face of the equipment cannot be captured, and that no reflections of the face of the equipment can be captured. Sound may be recorded during the video only as incidental background noise. No live feed broadcasts are allowed within the polling place.
- **Voter permission:** Permission must be obtained from any voter prior to photographing or recording the voter. Photography and/or videography may begin or resume after the objecting voter has left the poll. **No disruptions or disturbances permitted:** Notwithstanding any other provision of this policy, the Poll Manager may stop or delay the photography or recording at any time if it is disrupting voting or causing a disturbance in the poll.

The Cherokee County Board of Elections and Registration may restrict access or rescind permission for the use of photographic devices in any polling place or processing center per the following:

O.C.G.A. §21-2-413:

(e) No person shall use photographic or other electronic monitoring or recording devices, cameras, or cellular telephones while such person is in a polling place while voting is taking place; provided, however, that a poll manager, in his or her discretion, may allow the use of photographic devices in the polling place under such conditions and limitations as the election superintendent finds appropriate, and provided, further, that no photography shall be allowed of a ballot or the face of a voting machine or DRE unit while an elector is voting such ballot or machine or DRE unit and no photography shall be allowed of an electors list, electronic electors list, or the use of an electors list or electronic electors list. This subsection shall not prohibit the use of photographic or other electronic monitoring or recording devices, cameras, or cellular telephones by poll officials for official purposes.

O.C.G.A. §21-2-568.1-2:

(a) Except while providing authorized assistance in voting under Code Section 21-2-409 and except for children authorized to be in the enclosed space under subsection (f) of Code Section 21-2-413, no person shall intentionally observe an elector while casting a ballot in a manner that would allow such person to see for whom or what the elector is voting.

(b) Any person who violates the provisions of subsection (a) of this Code Section shall be guilty of a felony.

(a) It shall be illegal for any person to use photographic or other electronic monitoring or recording devices, cameras, or cellular telephones, except as authorized by law, to:

(1) Photograph or record the face of an electronic ballot marker while a ballot is being voted or while an elector's votes are displayed on such electronic ballot marker; or

(2) Photograph or record a voted ballot.