



GEORGIA ELECTION OBSERVERS: RULES AND CONSTRAINTS

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Election observers, referred to as “poll watchers,” are individuals who monitor polling places and ballot counting sites.¹ While election observers play an important role in providing transparency, they can also be a potential source of disruption and intimidation. For this reason, all states have a series of rules and constraints regarding who can serve as poll watchers and what they can do. Additionally, both Congress and the Department of Justice may send federal observers to monitor elections for compliance with voting and civil rights laws. More information can be found [here](#).

Georgia’s rules on observers, which derive both from the state’s election code and from guidance issued by the secretary of state, are:

Appointment

- Under Georgia law, candidates and political parties can designate poll watchers to observe polling places on Election Day or during advance voting.²
- Each political party can designate no more than two poll watchers for each precinct. Independent or nonpartisan candidates can designate one poll watcher per precinct in which the candidate’s name appears on the ballot.³
- In addition to precinct-specific poll watchers, each political party or independent candidate can designate up to 25 statewide poll watchers who can observe different precincts but are otherwise subject to all the same rules as other poll watchers. However, no more than two statewide poll watchers of a political party or of an independent candidate can be at the same polling place at the same time.⁴
- Georgia law requires that all poll watchers complete a training provided by the political party or candidate designating the poll watcher. Each political party or candidate must certify under oath that the poll watchers have completed the required training.⁵
- Candidates on the ballot cannot be poll watchers.⁶
- Georgia law requires poll watchers to wear a badge provided by election officials that includes the words “Official Poll Watcher,” the name of the poll watcher, the election in which the poll watcher shall serve, and either the specific polling location where the watcher shall serve or a statement that the poll watcher is a statewide poll watcher. Watchers must wear their name badge at all times and bring their designation letter with them to show to the poll manager of the precinct when entering the polling location.⁷

1 Federal observers and monitors are authorized to be present and governed by various federal laws. State and federal laws on voter intimidation apply to all observers.

2 Ga. Code § 21-2-408; Georgia Secretary of State, Elections Division, *Poll Watcher Training Manual*, February 2022, 2, <https://perma.cc/K3PY-9FKK>.

3 Ga. Code § 21-2-408(b)(1), (b)(3)(A); Georgia Secretary of State, *Poll Watcher Training Manual*, 5.

4 Ga. Code § 21-2-408(b)(2), (b)(3)(B); Georgia Secretary of State, *Poll Watcher Training Manual*, 4.

5 Ga. Code § 21-2-408(e); Georgia Secretary of State, *Poll Watcher Training Manual*, 2.

6 Ga. Code § 21-2-408(e); Georgia Secretary of State, *Poll Watcher Training Manual*, 2.

7 Ga. Code § 21-2-408(d); Georgia Secretary of State, *Poll Watcher Training Manual*, 2.



Role of Poll Watchers

- Poll watchers monitor the election process without causing disruptions to ensure that all rules are followed. Any infraction or irregularity observed by poll watchers must be reported directly to the election superintendent, not the poll manager.
- Poll watchers must be granted access to polling places, early voting locations, tabulation centers, and absentee ballot processing centers. They may enter the enclosed space to observe and may sit or stand as close as is practicable to the observed activity, except they are not permitted to hear certain confidential information such as voters' birthdays, email addresses, driver's license numbers, and locations of registration.

Role of Poll Monitors

- In addition to poll watchers, Georgia also allows poll monitors outside of polling places. Monitors include members of the public, may generally be at the polls to look for issues such as long lines, and do not require appointment or badges.
- Poll monitors are generally stationed outside of a polling place and may not enter the enclosed space, which usually means the building where the polling place is located. Poll monitors are otherwise subject to all general restrictions that apply to poll watchers, such as prohibitions on electioneering and the carrying of weapons.

Prohibited Activities

- **Interfering with the Election Process:** It is illegal for any person, including poll watchers and poll monitors, to prevent election workers from performing their duties or from conducting an election.⁸
- **Electioneering:** It is illegal for any person, including poll watchers and poll monitors, to conduct any campaign-related activities, also known as electioneering, in the polling place or within 150 feet of the entrance of the polling place during voting hours. This prohibition extends to wearing clothing advocating for or against a candidate or issue.⁹
- **Talking with Voters:** Poll watchers cannot talk with voters.¹⁰ However, poll monitors may speak to voters who are not in the enclosed space where the polling place is located.
- **Checking the Electors Lists:** Poll watchers and poll monitors cannot check lists of voters.¹¹

8 Ga. Code §§ 21-2-408(d), 21-2-566(1), 21-2-569; Georgia Secretary of State, *Poll Watcher Training Manual*, 2.

9 Ga. Code. §§ 21-2-408(d), 21-2-413(d), 21-2-414(a); GA Secretary of State, *Poll Watcher Training Manual*, 2.

10 Ga. Code § 21-2-408(d); Georgia Secretary of State, *Poll Watcher Training Manual*, 2.

11 Ga. Code §§ 21-2-225(b), 21-2-408(d); Georgia Secretary of State, *Poll Watcher Training Manual*, 2.



- **Using Photographic or Other Electronic Monitoring or Recording Devices:** Poll watchers or poll monitors cannot take photographs or record video or audio in the enclosed space.¹²
- **Using Cellular Telephones:** Poll watchers cannot use cell phones unless they leave the enclosed space to do so.¹³
- **Carrying a Weapon:** It is illegal under Georgia law to carry a weapon within 150 feet of any polling place when elections are being conducted.¹⁴
- **Touching Election Materials:** Only the Election Superintendent and poll workers can handle or touch election supplies and materials.¹⁵

Federal and state law strictly prohibit all people, including poll watchers, from engaging in voter intimidation.¹⁶ Any action that makes a voter feel intimidated, threatened, or coerced (including any effort to prevent a voter from registering to vote, voting, or voting for or against any candidate or ballot measure) could constitute voter intimidation, regardless of whether it breaks a specific rule. More information on the federal and state laws that protect Georgia voters from intimidation can be found [here](#).

Removal

- Georgia law grants election workers broad authority to remove poll watchers who impede or interfere with the conduct of any election or engage in any of the prohibited conduct listed above. If, after a warning from an election worker, a poll watcher continues to engage in prohibited conduct or conduct that otherwise interferes with the election process, that poll watcher should be removed.¹⁷
- Any poll watcher who engages in prohibited activities may also face criminal charges.
- Poll workers may contact law enforcement or election officials for assistance in removing disruptive people from the polls but should use sound judgment in deciding whether doing so is necessary. In such cases, law enforcement officers are required to restore order per the poll workers' orders.¹⁸

12 Ga. Code § 21-2-408(d); Georgia Secretary of State, *Poll Watcher Training Manual*, 2.

13 Ga. Code § 21-2-408(d); Georgia Secretary of State, *Poll Watcher Training Manual*, 2.

14 Ga. Code §§ 16-11-127(b)(7), 21-2-413(i).

15 Georgia Secretary of State, *Poll Watcher Training Manual*, 2.

16 Ga. Code § 21-2-567; 18 U.S.C. §§ 241, 594; 52 U.S.C. § 10101(b).

17 Ga. Code § 21-2-408(d); Georgia Secretary of State, *Poll Watcher Training Manual*, 2.

18 Ga. Code § 21-2-593(2).

