



OHIO ELECTION OBSERVERS: RULES AND CONSTRAINTS

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Election observers, referred to as “political party observers” or “observers” in Ohio, are individuals who monitor polling places and ballot counting sites.¹ While 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 regulations 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](#). Ohio’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 Ohio law, political parties with candidates on the ballot, any group of five or more candidates, or a ballot issue committee can appoint one observer per early and Election Day voting location, and one observer at each board of elections office to observe voting and processing of provisional and absentee ballots leading up to and on Election Day, and one observer for the official canvass.²
- Only voters registered in Ohio may be observers.³
- The county board of elections must receive notification of the name, address, and location at which the observer is to serve prior to observing.⁴
- Observers must take an oath prior to observing in which they swear to “faithfully and impartially discharge the duties” . . . “assigned by law” and “not cause any delay to persons offering to vote.”⁵
- Separately, Ohio law permits “post-election audit observers” during a post-election audit. The post-election observers may only attend public meetings of the local board of elections (these meetings must be publicly noticed in advance), and in no event may they handle ballots during the audit.⁶ They are otherwise subject to limitations similar to those that apply to observers at polling places and ballot counting locations.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 Ohio Rev. Code Ann. §§ 3505.21(B), (E), 3505.32(B).

3 Ohio Rev. Code Ann. § 3505.21(B). *See also* Ohio Rev. Code Ann. § 3503.011 (registered voters are referred to as “qualified electors.”).

4 Ohio Rev. Code Ann. § 3505.21(F).

5 Ohio Rev. Code Ann. § 3505.21(F); Ohio Secretary of State, *Ohio Election Official Manual*, August 5, 2026, ch. 9, p. 349, <https://perma.cc/CYG2-CJBC>.

6 Ohio Rev. Code Ann. § 3505.331; Ohio Secretary of State, *Ohio Election Official Manual*, ch. 9, p. 354, ch. 11, p. 432.

7 Ohio Rev. Code Ann. § 3505.331.



Role of Observers

- Observers monitor the election process without causing disruptions to voters or election workers. They may watch all proceedings of precinct officials, including the counting and certification of returns, at the polls and ballot counting sites.⁸
- Observers cannot challenge a voter's eligibility.⁹ More information on the rules and constraints on voter eligibility challenges can be found [here](#).
- According to the secretary of state's guidance, observers can contact the county board of elections if they observe an issue of concern but must leave the voting area to do so.¹⁰
- Observers may move freely about the location except that election officials may deny observers access to parts of an election office where ballots are not being cast, processed, or counted.¹¹

Prohibited Activities

- **Electioneering:** All people, including observers, are prohibited from conducting campaign-related activities, known as electioneering, within 100 feet of a voting location, and if the line for voting extends beyond the 100-foot buffer, within 10 feet of any voter waiting in line. This includes wearing campaign clothes or accessories.¹²
- **Carrying Firearms:** Observers cannot carry a firearm or other weapon.¹³
- **Intimidation or Influence:** Attempting to intimidate or influence a voter is not allowed.¹⁴ Intimidation can include, but is not limited to, soliciting a voter, coercing a voter to vote or refrain from voting, or coercing a voter to vote or refrain from voting for a particular candidate, question, or issue.¹⁵ Additionally, it is illegal to attempt to intimidate election officers or prevent them from performing their duties.¹⁶
- **Interference:** Observers may not interfere with election workers or slow the operation of election processes. Specifically, it is illegal for anyone, including observers, to destroy property used to conduct elections, to loiter in or about the voting place during the casting and counting of ballots, or to unduly delay or hinder a voter from attempting to vote or voting.¹⁷

8 Ohio Rev. Code Ann. § 3505.21(C).

9 See Ohio Rev. Code Ann. § 3505.20 ("Any person offering to vote may be challenged at the polling place by any precinct election official").

10 Ohio Secretary of State, *Ohio Election Official Manual*, ch. 9, p. 350.

11 Ohio Secretary of State, *Ohio Election Official Manual*, ch. 9, p. 349.

12 Ohio Rev. Code Ann. § 3501.35(A)(1). See Ohio Secretary of State, *Ohio Election Official Manual*, ch. 6, p. 237 (campaign materials are not allowed within the neutral zone).

13 Ohio Rev. Code Ann. § 3505.21(B); Ohio Secretary of State, *Ohio Election Official Manual*, ch. 9, pp. 348, 350.

14 Ohio Rev. Code Ann. §§ 3501.90(A)(1)(A), 3599.01(A)(2).

15 Ohio Rev. Code Ann. §§ 3501.35(A)(5); 3599.01(A)(2).

16 Ohio Rev. Code Ann. § 3599.24(A)(3).

17 Ohio Rev. Code Ann. §§ 3599.24(A)(2), (5), 3599.26.



- **Harassment:** It is illegal for anyone, including observers, to harass a voter. Harassment includes, but is not limited to, obstructing access to or from a voting location or participating in a riot, violence, or disorder in or about the voting location.¹⁸
- **Voter Interaction:** Observers may not interact with voters in a disruptive manner.¹⁹
- **Handling Election Materials:** Observers may not handle any election materials.²⁰
- **Photography and Video:** Observers may not take photographs or videos at a voting location. Further, observers may not use electronic or communication devices in ways that could impede, harass, or intimidate voters or risk violating voter privacy.²¹
- **Enforcing the Law:** Observers may not enforce the law or advocate for voters.²²

Federal and state law strictly prohibit all people, including observers, from engaging in voter intimidation. 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.²³ More information on the federal and state laws that protect Ohio voters from intimidation can be found [here](#).

Removal

- Precinct election officials may remove observers who interfere with, impede, or disrupt the election or who engage in behavior that is inconsistent with state law or a secretary of state directive.²⁴
- If necessary, election officials may contact law enforcement for assistance in removing observers who break the rules.²⁵

18 Ohio Rev. Code Ann. § 3501.90(A)(1)(a).

19 Ohio Secretary of State, “Elections Frequently Asked Questions,” accessed June 22, 2026, <https://www.ohiosos.gov/elections/frequently-asked-questions#observer-conduct>.

20 Ohio Secretary of State, *Ohio Election Official Manual*, ch. 9, p. 349.

21 Ohio Secretary of State, *Ohio Election Official Manual*, ch. 9, p. 350.

22 Ohio Secretary of State, *Ohio Election Official Manual*, ch. 9, p. 351.

23 18 U.S.C. §§ 241, 594; 52 U.S.C. § 10101(b); Ohio Rev. Code Ann. §§ 3501.35, 3501.90, 3599.01, 3599.24, 3599.26.

24 Ohio Secretary of State, *Ohio Election Official Manual*, ch. 9, p. 351.

25 Ohio Rev. Code Ann. § 3501.33.