



WISCONSIN ELECTION OBSERVERS: RULES AND CONSTRAINTS

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Election observers, referred to as “election observers” or “observers” in Wisconsin, are individuals who monitor polling places and ballot counting sites. 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](#). Wisconsin’s rules on observers, which derive both from the state’s election code and from guidance issued by the Wisconsin Elections Commission, are:

Appointment

- Under Wisconsin law, anybody except a candidate can be an observer.¹
- Observers may be at polling places and may also observe the absentee voting process at the municipal clerk’s office, central count processes, recounts, and voting in residential care facilities and nursing homes.²
- Observers must sign in on an election observer log.³
- The chief inspector or municipal clerks can limit the number of observers representing one organization simultaneously at one location and may also limit the areas that observers are allowed to access within a polling place, the clerk’s office, or absentee ballot site.⁴
- According to the Wisconsin Elections Commission’s guidance, observers must present photo identification to the chief inspector upon arrival and wear a badge or tag identifying themselves as an “observer” when inside a polling place, clerk’s office, or other sites.⁵

Role of Observers

- Observers may monitor the election process without causing disruption to the voting location from within an observation area, designated by the chief inspector, that is no less than three and no more than eight feet from the sign-in table.⁶
- Only a qualified elector may challenge a voter’s eligibility for cause, meaning observers who are not eligible Wisconsin voters may not issue voter challenges.⁷ More information on the rules and constraints on voter eligibility challenges can be found [here](#). Electors who abuse the right to challenge are subject to criminal penalties or sanctions.⁸

1 Wis. Stat. § 7.41(1).

2 Wisconsin Elections Commission, *Wisconsin Election Observers Rules-at-a-Glance*, December 2025, 1, <https://perma.cc/39DD-CVZ5>; Wis. Adm. Code § EL 4.05(4).

3 Wis. Stat. § 7.41(1).

4 Wis. Stat. § 7.41(1)-(2).

5 Wisconsin Elections Commission, *Wisconsin Election Observers Rules-at-a-Glance*, 2.

6 Wis. Stat. § 7.41(2)-(3).

7 Wis. Stat. § 6.925; Wis. Admin. Code § EL 9.02.

8 Wis. Stat. § 12.13(1)(b), (3)(g); Wis. Admin. Code § EL 9.02.



Prohibited Activities

- **Electioneering:** No one, including observers, may engage in any activity intended to influence voting within 100 feet of any voting location.⁹ This includes wearing clothing or buttons related to candidates, parties, or referenda intended to influence the election.¹⁰
- **Intimidation or Influence:** Attempting to intimidate or influence a voter through the use or threat of the use of force, violence, or restraint is not allowed.¹¹ Additionally, no person may solicit a voter to show how they voted.¹²
- **Posting Election Material:** No one other than election officials may post materials in a polling place that describe the rights of individuals, as it may mislead and confuse voters.¹³
- **Carrying Firearms:** Wisconsin law prohibits firearms in certain buildings often used as polling places, including schools and courthouses.¹⁴ Even at locations where firearms are not expressly prohibited by statute, building owners or operators may bar firearms from the premises by posting signs in prominent places announcing the ban.¹⁵ And when allowed at polling places, firearm carry may still constitute unlawful intimidation.
- **Disobeying Instructions:** When poll workers and election officials give lawful instructions, observers must follow them. Observers may not engage in disorderly conduct at or near a polling place or disturb voting or canvassing proceedings.¹⁶
- **Viewing and Handling Election Materials:** Observers cannot view the confidential portions of registration or poll lists. However, observers may request the number of people on the registration list and the number who have voted.¹⁷ Observers may not be permitted to handle an original version of any official election document.¹⁸
- **Photography and Video:** Observers may not take photographs or videos in a polling place. At central counting and recounting locations, photographs and videos are allowed if they are not disruptive and do not show how someone voted.¹⁹
- **Phone Calls:** Observers may not make calls inside the polling area.²⁰
- **Voter Interaction:** Observers may not interact with voters unless a voter requests it.²¹

9 Wis. Stat. § 12.03(2).

10 Wisconsin Elections Commission, *Election Law & Administration: Manual for Statutory Requirements & Best Practices*, June 2026, ch. 14, p. 11, <https://perma.cc/8DA2-N47H>.

11 Wis. Stat. § 12.09.

12 Wis. Stat. § 12.13(3)(q).

13 Wis. Stat. § 12.035.

14 Wis. Stat. §§ 175.60(16)(a)(6)–(7), 941.235, 948.605. See also Meagan Wolfe (administrator, Wisconsin Elections Commission) to All Wisconsin Election Officials, Re: Summary of Wisconsin Weapons/Physical Security Laws and Applicability to Polling Places, October 20, 2020, 1, <https://perma.cc/YU9T-EUZY> (explaining that firearms are prohibited in K-12 schools, which are likely to be polling places, and courthouses, which are less likely to be polling places).

15 Wis. Stat. § 943.13(2)(bm)(2).

16 Wis. Stat. §§ 7.37(2), 12.13(3)(x). See also Wisconsin Elections Commission, *Election Law Manual*, ch. 14, pp. 18–21, detailing what observers can and cannot do.

17 Wis. Stat. § 7.41(4).

18 Wis. Adm. Code § EL 4.03(9).

19 Wisconsin Elections Commission, *Election Law Manual*, ch. 14, pp. 27, 221.

20 Wisconsin Elections Commission, *Election Law Manual*, ch. 14, p. 21.

21 Wisconsin Elections Commission, *Election Law Manual*, ch. 14, p. 21.



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.²² More information on the federal and state laws that protect Wisconsin voters from intimidation can be found [here](#).

Removal

- Election inspectors may remove any observer who fails to comply with an election worker's lawful instruction, disrupts the election proceedings or the canvass of the votes, engages in electioneering, or posts election-related materials.²³
- If an observer fails to follow the instructions of the election inspector, the inspector may, if necessary, order law enforcement to remove the disruptive observer.²⁴

²² 18 U.S.C. §§ 241, 594; 52 U.S.C. § 10101(b); Wis. Stat. § 12.09.

²³ Wis. Stat. §§ 7.37(2), 7.41(3).

²⁴ Wis. Stat. § 7.37(2); Wisconsin Elections Commission, "FAQ," accessed September 10, 2026, <https://elections.wi.gov/faq#accordion-894>.