

Gwinnett County Board of Registrations and Elections Board Policy File

Policy Title: Certified election poll watchers/observers, monitors and the public

Version: 2022-01

Effective Date: May 18, 2022

I. Authority:

The Gwinnett County Board of Registrations and Elections (Board) is empowered with all the powers and duties relating to the conduct of elections as election superintendents. 1988 Ga. Laws p. 4296 (Section 9).

II. Purpose:

The purpose of this policy is to establish standards for the observation of pre- and post-election activities at the Board's main office during primaries and elections by certified poll watchers/observers, and monitors appointed by political parties, political bodies and candidates and the general public.

III. Applicability and Scope:

This policy applies to any individual who desires to observe the Logic and Accuracy (L&A) testing, voting in polling places, including advanced voting, absentee ballot processing, tabulation and certification of election results. This policy is also applicable to staff and the Elections Supervisor as a guide to ensure the transparency of the process.

IV. Related laws and regulations

- A. O.C.G.A. § 21-2-406
- B. O.C.G.A. § 21-2-408

- C. O.C.G.A. § 21-2-379.25
- D. O.C.G.A. § 21-2-386
- E. O.C.G.A. § 21-2-406
- F. O.C.G.A. § 21-2-413
- G. O.C.G.A. § 21-2-483
- H. O.C.G.A. § 21-2-492
- I. O.C.G.A. § 21-2-493
- J. Ga. Rules & Regs: 183-1-13

V. **Policy for certified poll watchers/observers and monitors:**

To ensure trained and certified poll watchers/observers and monitors have the legally required opportunity to openly observe the process and to provide general guidance for the Elections Division staff.

The role of observers is limited to observing the proceedings of an election. Accordingly, while observers are permitted to watch, observers are never permitted to handle any election materials.

The Elections Supervisor is responsible for designating an observation area that provides an opportunity for observers to watch and ask questions.

The Election Supervisor will ensure that full-time staff is available as needed to respond to observer's questions.

The Elections Supervisor will determine dates and times, and if needed, the number who may be present in designated area. The number who may be present will be based on available space and will insure fair representation of all parties and points of view are fairly represented.

In the instance of high interest events during an election where the available space requires regulating to ensure public safety and to allow the processes being executed by staff to proceed unimpeded, then the Elections Supervisor is authorized to solicit the cooperation of certified poll watchers/observers and monitors to establish a rotation if necessary. Where rotation is necessary, the Election Supervisor shall ensure that such rotation, where election processes are happening, allows a period of observation to occur to fairly observe the process.

The Elections Supervisor is responsible for providing instruction and guidance to staff to ensure compliance with this policy.

Pursuant to state law, O.C.G.A. §21-2-408(d) poll watchers shall in no way interfere with the conduct of the election, and the poll manager may make reasonable regulations to avoid such interference. The following non-exhaustive list enumerates authorized and unauthorized conduct

A. Authorized Conduct

An observer is permitted to do any of the following:

1. Take notes and observe processes for Logic and Accuracy testing (L&A)
2. View activities at the Elections Office on Election Day
3. View the canvass of the elections return process following the election
4. Ask questions of the designated elections officials about election procedures during tabulation of Election
5. Remain in designated areas during specified times along as the observer is always wearing a visitor badge while observing.
6. Be present in designated areas include the following: the enclosed space at a polling place, the tabulating center, including the check-in area, the computer room, and the duplication area.
7. View the vote count on ballot marking devices and ImageCast Precinct (ICP) scanners. To minimize disruption, and maintain operational control, polls manager shall afford poll watchers the opportunity to check the vote count on ballot marking devices and ImageCast Precinct scanners at least hourly.

B. Prohibited Conduct¹

An observer is not permitted to do any of the following:

1. Interfere in any way with the conduct of the process
2. Touch any voting materials or equipment or sit at the official worktables
3. Talk to election officials who are not designated to speak to the public
4. Eat or drink in the designated areas
5. Talk in a loud voice, cause confusion
6. Use a cellular phone or type of electronic monitoring or recording devices, this includes but is not limited to cameras, tablets, voice

¹ See O.C.G.A §21-2-408(d)

recorders, walkie talkies, or any other wired, wireless, or satellite audio for taking photos or recording.

7. Talk to voters
8. Check elector lists

VI. Policy for the general public's access to view elections processes and procedures

The purpose of this policy is to establish standards for observation during voting as well as pre- and post-election activities at the Board's main office during primaries and elections. The Board is committed to providing a transparent process that fosters the public's confidence in the integrity of the elections which the Board is responsible for conducting.

The role of the general public wishing to view the election process is limited to viewing the proceedings of an election. Accordingly, while the public are entitled to watch, they are not permitted to be inside any enclosed space and are not permitted to handle any election materials.

Designated areas for the public shall be provided for logistic and accuracy testing, the opening of absentee ballot envelopes and scanning of absentee ballots and computation and canvassing of the returns.

In the instance of high interest events during an election where the available space requires regulating to ensure public safety and to allow the processes to be executed by staff to proceed unimpeded, then the Elections Supervisor is authorized to establish a rotation if necessary.

A. Authorized Conduct

A public observer is permitted to do any of the following:

1. Take notes and observe processes for Logic and Accuracy testing (L&A)
2. View activities at the Elections Office on Election Day
3. View the canvass of the elections return process following the election

4. Ask questions of the designated elections officials about election procedures

B. Prohibited Conduct²

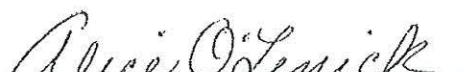
A public observer is not permitted to do any of the following

1. Interfere in any way with the conduct of the process
2. Be in the enclosed space at a polling place when they are not voting or assisting a voter.
3. Touch any voting materials or equipment or sit at the official worktables
4. Talk to election officials who are not designated to speak to the public
5. Eat or drink in the designated areas
6. Talk in a loud voice, cause confusion
7. Use a cellular phone or type of electronic monitoring or recording devices, this includes but is not limited to cameras, tablets, voice recorders, walkie talkies, or any other wired, wireless, or satellite audio for taking photos or recording.
8. Check elector lists

Approved, this 18th day of May 2022. Special Called

GWINNETT COUNTY
BOARD OF REGISTRATIONS AND ELECTIONS

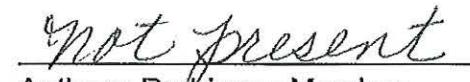
By:


Alice O'Lenick

Alice O'Lenick, Chair

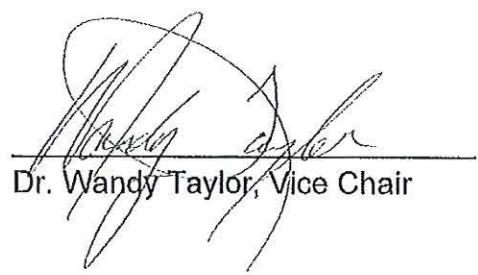


George Awuku, Member

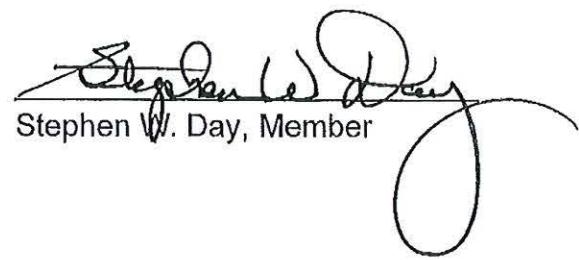

Not present

Anthony Rodriguez Member

² See O.C.G.A §21-2-408(d)



Dr. Wendy Taylor, Vice Chair



Stephen W. Day, Member