

Poll Watcher Overview

Candidates, political parties, and nonpartisan groups can appoint poll watchers to observe any part of the process, including: polling places, transportation of ballots, ballot counting, and the early voting ballot board. A poll watcher *must* bring his or her certificate of appointment to the polling place to be accepted.

If a serious problem is causing voters to be denied the right to vote, leave the polling place if necessary and call in immediately. We can always appoint another poll watcher, but we can't correct a bad situation if we don't know about it.

Poll Watcher Checklist

Bring to the polls:

- Certificate of appointment (required)
- A copy of these instructions
- A cell phone (without a camera – can be told not to use it by election judge)
- Pens and paper or notebooks to write on
- Lunch and folding chair (optional)

When you arrive at the polls:

- Introduce yourself to the presiding judge and present certificate of appointment
- Inspect the voting machine and see if it has been tampered with in any way.
- Make sure that voting machine's counter is set on "0" votes cast.

Poll Watchers' "Bill of Rights"

Regarding *when you may watch*:

- You have the right to begin service at any time after the presiding judge arrives at the polling place on Election Day.
- You have the right to remain at the polling place until the presiding judge and the clerks complete the duties there.
- You have the right to come and go from the polling place once you have been there for five consecutive hours (**NOTE: this rule has been in effect since 2004**) (TX Election code Sec. 33.052).

Regarding *what you may do inside the polling place*:

- You have the right to sit or stand near an election officer conducting an observed activity. Election officials cannot make you stand or sit in an area where you cannot observe any activity in the polling place is guilty of a Class A misdemeanor. (TX Election Code Sec. 33.056a and b).
- You have the right to call the attention of an election officer to anything that happens on Election Day which you believe is an irregularity or violation of the law. (TX Election Code Sec. 33.058).
- You have the right to discuss with an election officer any irregularity or violation of law that you believe is taking place.
- You have the right to challenge the eligibility of a person offering to vote.
- An election official who interferes with your right to observe any activity in the polling place is guilty of a Class A misdemeanor. (TX election Code 3.061).

Regarding *assistance*:

- You have the right to observe a voter being given assistance when the voter is being assisted by an election official (judge or clerk). 33.057(a)

- If a voter received assistance from one of the election officials, you have the right to be at the voting booth and the right to inspect the ballot before it goes into the ballot box to make sure it has been filled out as the voter wished.
- You have the right to observe curbside voting and assistance to a curbside voter by an election official.

Regarding *note taking*:

- You have the right to take notes while you are serving as a poll watcher (but you must leave your notes at the polling place if you leave the polling location and intend to return). 33.056(d)
- You have the right to take a copy of these rights with you into the polling place and to keep them with you for reference.

Regarding *your right to inspect*:

- You have the right to witness the delivery of the election results to the central counting station.
- You have the right to watch the inspection or checking of the voting equipment.
- You have the right to inspect election returns and other records made by election officers at the polling location where you are serving.
- If you have been appointed as a watcher at a main or branch early voting polling place, you have the right to observe the processing of early voting ballots by the early voting ballot board.

Other Rights

- Carry a cell phone in to the polling place only if the election judge says it's okay and only if the phone does not contain a camera or other recording device.
- Accompany an election official who delivers election records by following in your own car or truck. 33.060

Poll Watcher Do's and Don'ts

1. **DO**...Be near enough to election activities so you can observe.
 2. **DO**...Call to the attention of an election officer anything that seems irregular.
 3. **DO**...Take notes of what you observe in the polling place.
 4. **DO**...Take a copy of these instructions with you in the polling place.
 5. **DO**...Observe assistance given to a voter in the booth if the assistance is being given by an election official.
 6. **DO**...If a voter is told by an election official that he or she cannot vote, bring to the attention of the election judge the right of the voter to ask for instructions about how to cast a regular ballot at another location or with additional ID – or the voter's right to cast a provisional ballot.
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1. **DO NOT**...Communicate directly with a voter (watchers can only communicate with election officials).
 2. **DO NOT**...Talk to an election officer unless responding to a question or bringing attention to some voting irregularity or violation.
 3. **DO NOT**...Leave the polling place for lunch or any other reason unless the election judge gives you permission to do so (*exception*: you must be allowed to leave for voting but hopefully you have early voted; if the election judge is letting clerks go for lunch, poll watchers must be allowed to go to lunch also).
 4. **DO NOT**...Wear a name badge, campaign button or t-shirt, or law enforcement badge.