



OFFICIAL ELECTION BULLETIN

October 17, 2018

TO: County Election Officials and County Registrars
FROM: Chris Harvey, Elections Division Director
RE: Security, Poll Watchers, and Press During Voting

Security is a high priority as the election looms and advance voting begins. As we have pointed out repeatedly, part of our election security is based on multiple layers of security including physical security of equipment and locations where equipment is stored or voting takes place.

I am again encouraging all election officials to remain vigilant throughout the period of advance voting and on Election Day. This includes high levels of awareness of all activities that take place within areas where voting occurs, and where voting equipment is stored.

Special attention must be paid to individuals seeking access to secure areas or voting equipment. If a person states that they are from a vendor, or the Secretary of State's Office, or that they have some official status, identification should be checked and verified further by telephone if necessary to establish a person's identity and authority.

Be aware that in the aftermath of an unusual event such as the Hurricane, some individuals or groups might attempt to take advantage of unusual situations to gain access to secure areas either physically or by electronic/cyber means. Phishing emails remain the greatest threat to cyber security. One of the best ways to protect yourself is to practice a slow and methodical approach to responding to emails, and to be hesitant to open attachments or links in emails, or to verify by telephone that an email is authentic if there is cause for alarm.

The Republican and Democratic parties and the Libertarian political body have appointed statewide poll watchers, and likely, many counties have poll watchers for local polling places. We have posted the list of the poll watchers on Firefly under the "2018 General Election Information" folder.

To specify some activities poll watchers may not engage in while behind the enclosed space:

1. In no way interfere with the conduct of the election;
2. May not talk to voters;
3. May not check elector lists;
4. May not use photographic or other electronic monitoring or recording devices;
5. May not use cellular phones;
6. May not participate in any campaigning;
7. May not compromise the privacy of the voter's secret ballot.

I encourage you to review O.C.G.A. 21-2-408(d) for the entire code regarding poll watchers and the poll manager's rights and responsibilities concerning poll watchers in a polling place:

*“(d) Notwithstanding any other provisions of this chapter, a poll watcher may be permitted behind the enclosed space for the purpose of observing the conduct of the election and the counting and recording of votes. Such poll watcher shall in no way interfere with the conduct of the election, and **the poll manager may make reasonable regulations to avoid such interference**. Without in any way limiting the authority of poll managers, poll watchers are prohibited from talking to voters, checking electors lists, using photographic or other electronic monitoring or recording devices, using cellular telephones, or participating in any form of campaigning while they are behind the enclosed space. If a poll watcher persists in interfering with the conduct of the election or in violating any of the provisions of this Code section after being duly warned by the poll manager or superintendent, he or she may be removed by such official. Any infraction or irregularities observed by poll watchers shall be reported directly to the superintendent, not to the poll manager. The superintendent shall furnish a badge to each poll watcher bearing the words "Official Poll Watcher," the name of the poll watcher, the primary or election in which the poll watcher shall serve, and either the precinct or tabulating center in which the poll watcher shall serve or a statement that such poll watcher is a state-wide poll watcher. The poll watcher shall wear such badge at all times while serving as a poll watcher.” (emphasis added)*

Poll watchers must be monitored to ensure that they are not exceeding their authority, interfering with voting, infringing on voter privacy, or gaining access to any equipment or data which they have no authority to access.

There is also significant press interest in these elections, and I expect media requests for access to report from and/or photograph or record video in polling places to be plentiful. O.C.G.A. 21-2-413(e) specifies:

“(e) No person shall use photographic or other electronic monitoring or recording devices, cameras, or cellular telephones while such person is in a polling place while voting is taking place; provided, however, that a poll manager, in his or her discretion, may allow the use of photographic devices in the polling place under such conditions and limitations as the election superintendent finds appropriate, and provided, further, that no photography shall be allowed of a ballot or the face of a voting machine or DRE unit while an elector is voting such ballot or machine or DRE unit and no photography shall be allowed of an electors list, electronic electors list, or the use of an electors list or electronic electors list. This subsection shall not prohibit the use of photographic or other electronic monitoring or recording devices, cameras, or cellular telephones by poll officials for official purposes.”