

TIPS FOR MONITORING OR OBSERVING THE ELECTION AT POLLING SITES

OUTSIDE MONITORS

Anyone has the right to watch or monitor the election outside the voting place. This activity must remain outside the buffer zone, which typically extends 50 feet from the entrance of the voting place and is clearly marked. Outside observers may not disrupt voting, intimidate voters, or otherwise impede access to the polls. On-site elections officials have the duty to ensure a safe and orderly voting site where voters are not obstructed. These officials are authorized to remove anyone who is disruptive. G.S. 163-48.

Allowed:

- Pass out campaign material and sample ballots.
- Speak to voters.
- Conduct polling.
- Monitor and report concerns and complaints.

Prohibited:

- Enter the polling place or curbside voting area unless they are in the act of voting.
- Obstruct, intimidate, or interfere with any person registering or voting.

OBSERVING THE ELECTION INSIDE (appointed by political party)

Members of the public may not enter a voting site to observe the election. Only observers appointed in advance by a political party may be inside. The chief judge or one-stop manager will designate a place for observers that is close enough to hear voters checking in, but far enough to not impede the voting process or observe confidential information. Each party may assign site-specific observers and at-large observers for the county. No more than 2 site-specific observers and 1 at-large observer from the same party may be in the voting place at the same time. Site-specific observers may be relieved after serving for at least 4 hours.

Allowed:

- Make observations and take notes, including on a computer or phone (without capturing images, video, or audio).
- Periodically approach the registration, ballot, or help tables without interfering with voters or elections officials, or viewing confidential information. The chief judge or one-stop manager has the discretion to limit this activity if it is disruptive.
- Report concerns to the chief judge or one-stop manager. Discussions should be with the chief judge or one-stop manager only, not other elections workers.
- Walk outside the voting enclosure to view the curbside voting area or make phone calls, at the discretion of the chief judge or one-stop manager.
- Obtain a list of voters who have voted in the precinct at designated time intervals (typically 10am, 2pm, and 4pm).
- View bound sets of completed authorization-to-vote or one-stop application forms without removing the binding.

Prohibited:

- Must not enter the voting enclosure before the polls open. May observe the process of closing the polls.
- Must not speak to voters or voter assistants.
- Must not impede or disrupt the voting process.
- Must not wear or distribute campaign material.
- Must not go behind the registration, ballot, or help tables.
- Must not enter voting booth area or approach voting equipment.
- Must not position oneself to view confidential voter information on poll books or check-in laptops.
- Must not position oneself to see the contents of voted ballots, whether in the voting enclosure or curbside.
- Must not board a vehicle containing curbside voters.
- Must not provide voter assistance.
- Must not photograph, video, or record a voter without consent of the chief judge/one-stop manager, then the voter.

RUNNERS (appointed by political party)

Runners are appointed in advance by a political party to collect lists of people who have voted at particular intervals (10am, 2pm, 4pm). The chief judge will receive a list of the names of each runner. The runner must identify themselves to the chief judge and immediately leave the voting enclosure after receiving the list of voters. G.S. 163-45(d).

VOTER ASSISTANCE

Any in-person voter is entitled to assistance entering/exiting the voting booth and filling out a ballot. Any voter may receive such assistance from a near relative. Voters who need assistance entering to vote or marking a ballot due to disability, blindness, or illiteracy may receive assistance from anyone the voter chooses, except the voter's employer or agent of the voter's union. Assistants may not influence the voter's selections, take notes on anything occurring in the voting booth, or reveal how the person voted. There is no limit on the number of voters an assistant may assist. G.S. 163-166.8.

N.C. Administrative Code – ELECTION OBSERVERS

08 NCAC 20 .0101

(a) **Observer Lists.** The chair of each political party in a county may designate two precinct-specific observers to attend each voting place on Election Day and each one-stop site during a primary or general election in accordance with this Rule. The precinct-specific observer list may include up to eight names and shall include the times that each observer shall serve. The county party chair may designate 10 additional at-large observers who may attend any voting place in the county. The list of observers for one-stop must designate the names of the observers who will be present on each day of early voting and, for precinct-specific observers, at each one-stop site. At-large observers may serve at any one-stop site. The chair of each State political party may designate up to 100 additional at-large observers who are residents of the State who may attend any voting place in the State.

(b) **Submission of Lists.** The county party chair shall submit a written, signed list of county at-large observers to the county director of elections, with two copies provided to the chair of the county board of elections, prior to 10:00 a.m. on the fifth day prior to Election Day. The county party chair shall submit a written, signed list of the observers appointed for each precinct to the chief judge of each precinct, with two copies provided to the chair of the county board of elections, prior to 10:00 a.m. on the fifth day prior to Election Day; the list may be delivered in care of the county director of elections. The county party chair shall submit the list of observers for one-stop before 10:00 a.m. on the fifth day before the observer is to observe. The list of at-large observers to serve on Election Day may be amended prior to Election Day to substitute one or all of the at-large observers. The list of at-large observers who serve during early voting may not be amended after 10:00 a.m. on the fifth day before the at-large observer is to observe. The list of precinct-specific observers to serve on Election Day may not be amended after 10:00 a.m. on the fifth day prior to Election Day. The State party chair shall submit the written, signed list of State at-large observers by 10:00 a.m. on the fifth day prior to Election Day to the State Board, which shall disseminate the list to the county boards of elections. The list shall include the full name of each at-large observer and the county in which the observer is registered. The State Board shall confirm that each State at-large observer is a registered voter of the State. Party chairs may provide the lists by facsimile or email provided the letters are signed. Scanned signatures are permissible.

(c) **Observers at Voting Place.** No more than two precinct-specific observers from each political party may be in the voting enclosure at any time. Only one at-large observer from each political party may be in the voting enclosure at any time, even if no precinct-specific observers are present. All observers, whether precinct-specific or at-large, may be relieved after serving no less than four hours; however, the total number of observers from each party cannot exceed three total observers in the voting enclosure at one time: two precinct-specific observers and one county or State at-large observer. An observer may leave the voting place without having served for four hours, but the observer cannot be replaced by a new observer until at least four hours have passed since the first observer began serving. An observer who leaves the voting place for any reason may be prohibited by the chief judge from returning if the observer's return would cause a disruption in the voting enclosure.

(d) **Observer Conduct.** Observers who engage in prohibited conduct after receiving a warning may be required by the chief judge to leave the voting enclosure. Prohibited activities by observers include:

- (1) Wearing or distributing campaign material or electioneering;
- (2) Impeding or disrupting the voting process or speaking with voters or election assistants;
- (3) Interfering with the privacy of the voter, including positioning themselves in such a way that they can view confidential voter information on poll books or laptops or standing in such a way that they can view the contents of ballots inserted into a tabulator;
- (4) Using an electronic device to film or take photographs inside the voting enclosure;
- (5) Taking photographs, videos, or recording a voter without the consent of the voter and the chief judge;
- (6) Entering the voting booth area or attempting to view voted ballots;
- (7) Boarding a vehicle containing curbside voters; and
- (8) Providing voter assistance.

(e) **Eligibility.** No person who is a candidate on the ballot in a primary or general election may serve as an observer or runner in that primary or that general election. No person who serves as an observer or runner in a primary or general election may serve as a precinct official or one-stop election official in that primary or that general election.

(f) **Observers for unaffiliated candidates.** An unaffiliated candidate or the candidate's campaign manager may appoint two observers at each voting place as set forth in this Rule.

(g) The use of the term "chief judge" includes one-stop site managers.



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