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# VOTER ALERT

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American Civil Liberties Union of Ohio  
[www.acluohio.org](http://www.acluohio.org)  
216.472.2200



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## *ACLU Voter Alert*

November 3, 2016

Recently, political candidates have called on supporters to monitor polling locations as election observers. Public comments by some supporters indicate that they may attempt to challenge voters or otherwise attempt to interfere with the election process. The ACLU of Ohio is issuing this alert to all Ohio voters to educate them on election observers and how to report instances of voter intimidation through our Voter Complaint form.

State law strictly regulates election observers. In Ohio, designated observers may be appointed by political parties, by groups of candidates, or by ballot issue committees to protect the integrity of the voting process. These individuals are vetted by their appointing authorities and their names, addresses and the precinct where they are serving are given to the county board of elections. Only these designated individuals, along with election officials, poll workers, and boards of elections, may be present to observe election procedures. **Observers may not challenge, harass, or interfere with voters casting their ballots.**

### Identifying an Election Observer

- **Who can be appointed as an observer?** Any registered political party with a candidate running in the election, a group of five candidates, or a ballot issue committee can appoint an individual to observe the election proceedings as long as that person is not a uniformed officer (excluding police officers) or a candidate. Candidates are also prohibited from serving as observers unless they are present for recounts, official canvassing, audits, or are serving as a member of a party controlling committee.
- **Who cannot be an observer?** Observers are certified through the county boards of elections and given a certificate to present to the managing elections official at their precinct. Anyone who has not been vetted and certified cannot serve as an observer.

## Role of Election Observers

- Appointed observers serve to witness in-person voting, canvassing, recounts and election audits. They also watch and inspect election proceedings within the precinct, which includes the entrance to the polling location and the area within approximately 100 feet of the building.
- **What are observers allowed to do?** When observers “inspect” elections they may move about their assigned polling precinct, but they cannot impede elections officials in the performance of their duties. From the time the polls open and until they close, observers may watch, but not disrupt, the voting process.
- **What are observers prohibited from doing?** Observers cannot campaign for a candidate; wear campaign materials, including buttons, shirts, and hats; handle election materials; use cellular or other communication devices to record voters; or tell voters who they should vote for. **Voters should be wary of observers who take pictures or discuss election proceedings with non-election officials.**

## Other Prohibited Behaviors for Observers

- **Be cautious if an observer attempts to look at your ballot.** Observers cannot prevent voters from casting their ballots or ask anyone to produce identification to verify they are eligible to vote. Only election officials can verify a voter’s identity, check their voter registration information, or handle their ballot.
- **Look out for observers intimidating voters.** Observers are prohibited from engaging voters in conversation about the election, tell you how to vote, or carry a weapon within the precinct or within 100 feet of the building’s entrance. If you see someone intimidating or challenging a voter, please contact an election official, the ACLU or the Elections Protection hotline right away.

**If you have questions about the roles of appointed election observers or feel you are being intimidated at your polling precinct, please fill out our [Voter Complaint Form](#) right away or call the Election Protections hotline at 1 (866) 687-8683. You can also contact the Ohio Secretary of State at 1 (877) 767-6446.**

Voters who believe their rights have been violated are also encouraged to report these concerns to:

ACLU of Ohio  
Attn: Intake Department  
4506 Chester Ave.  
Cleveland, OH 44103

[www.acluohio.org/VoterComplaint](http://www.acluohio.org/VoterComplaint)