

Duties and Privileges of a Poll Watcher

The **primary duty** of a watcher is to **observe the conduct of the election** at the location where the watcher has been appointed. Observe is the key word describing duties of the Poll Watcher. They are NOT ALLOWED to converse with other watchers, or election officers. They are allowed to take notes and observe & inspect returns and other records but are NOT ALLOWED to obstruct or interfere with the tabulating process. *<If the integrity of the election process is to truly be upheld then the primary purpose for a poll watcher, observe the conduct of the election, must be followed.>*

While on Duty watchers are **NOT ALLOWED** to:

1. **Talk with an election officer** regarding the election except to call attention to an irregularity or violation [Sec. 33.058(a)(1)]. (A watcher may point out to an election judge or clerk any observed irregularity or violation of the Texas Election Code. However, if the clerk refers the watcher to the judge, the watcher **MAY NOT** discuss the matter further with the clerk unless the presiding judge invites the discussion.)
2. **Converse with a voter.** [Sec. 33.058(a)(2)]. Communicate in any manner with a voter regarding the election. [Sec. 33.058(a)(3)].
3. **Converse with other watchers.** [Sec. 33.058].

Poll Watchers have the privilege to:

1. Sit or stand Conveniently near the election officials to **OBSERVE** the activities of the election. [Sec. 33.056(d)].
2. Make written notes while on duty.
3. Inspect the returns and other records prepared by the election officers.

Sec. 127.005 ~ Presiding Judge of Counting Station

The presiding judge shall maintain order at the counting station and has the same authority as a precinct presiding judge in that respect and in the administration of oaths. The presiding judge may confer with and advise the manager or tabulation supervisor on any activity at the counting station. - The presiding judge shall preserve order and prevent breaches of the peace and violations of the election code.

CONCLUSION: A Poll Watcher is entitled to OBSERVE the conduct of the election at the location to which he/she is assigned. However, the presiding officers are responsible for maintaining control and order, thus providing an atmosphere that will promote the integrity of the election. A cooperative relationship and understanding of what is allowed, or not allowed, will work to ensure that the voting process works smoothly.