

2024 Poll Watchers On-line Training

DEVELOPED BY:

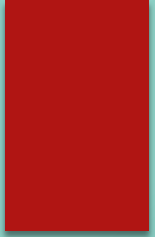
STATE BOARD OF ELECTION
COMMISSIONERS

501 WOODLANE, SUITE 122 SOUTH

1-800-411-6996

WWW.ARKANSAS.GOV/SBEC

VERSION 1.1



ACT 444 OF 2023

ARKANSAS POLL WATCHERS BILL OF RIGHTS ACT OF 2023

Requires the State Board of Election Commissioners to --

Develop a training program for poll watchers, including on-line training materials concerning the duties, rights, and responsibilities of poll watchers

POLL WATCHER TRAINING AND TESTING

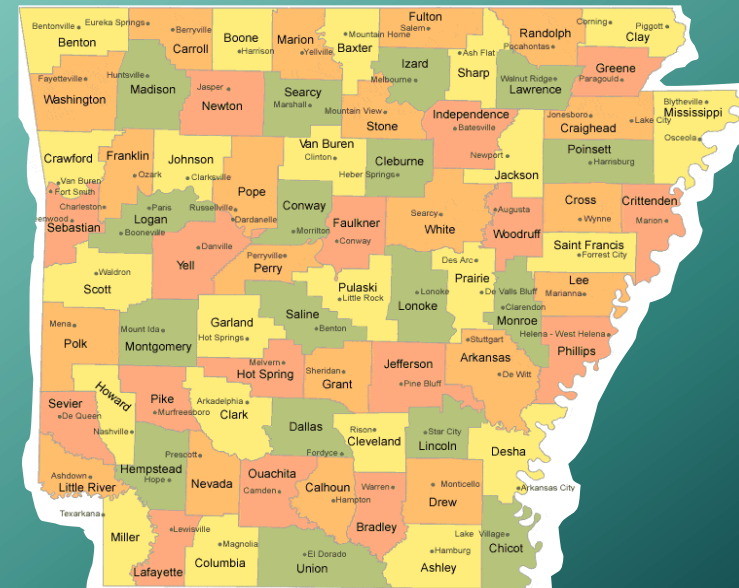


- ▶ You must take a test to be certified as a Poll Watcher
 - Instructions on taking the test will be covered at the end of this slideshow

- ▶ Allow two business days for a "Certificate of Completion" to be emailed to you at the email address you provided in your test

POLL WATCHER QUALIFICATIONS

- (1) Be appointed by candidate, group, or party.
- (2) Be a qualified elector of the state.
- (3) Complete this training course.



POLL WATCHERS ARE

- (1) A representative of a candidate;
- (2) A representative of a group seeking the passage or defeat of a measure on the ballot; and
- (3) A representative of a county or state political party with a candidate on the ballot, or seeking the passage or defeat of a measure on the ballot

- Must be appointed using the Poll Watcher Authorization Form located at [https://static.ark.org/eeuploads/elections/2023_POLL_WATCHER_AUTHORIZATION FORM.pdf](https://static.ark.org/eeuploads/elections/2023_POLL_WATCHER_AUTHORIZATION_FORM.pdf)

POLL WATCHER AUTHORIZATION FORM
[A.C.A. § 7-5-312]

Representative of a Candidate:

I, _____, state that I am a candidate for the office of _____ in the _____ election. I further state that I have designated _____ as my authorized representative at the election at polling sites _____ and absentee ballot processing sites _____ in _____ County, Arkansas, to observe and ascertain the identity of persons presenting themselves to vote in person or by absentee for the purpose of challenging any voter in accordance with Arkansas Code §§ 7-5-312, 7-5-416, and 7-5-417. I further state that I have designated and authorized my representative named above to be present at the ballot counting locations at _____ in _____ County, Arkansas for the purpose of witnessing the counting of ballots by election officials and determining whether ballots are fairly and accurately counted in accordance with Arkansas Code §§ 7-5-312, 7-5-316, 7-5-413, 7-5-416, 7-5-527, and 7-5-615.

Representative of a Group:

I, _____, state that I represent the _____ group which is seeking passage/defeat (*circle one*) of the ballot measure entitled _____ on the ballot in the _____ election at polling sites _____ and absentee ballot processing sites _____ in _____ County, Arkansas, to observe and ascertain the identity of persons presenting themselves to vote in person or by absentee for the purpose of challenging any voter in accordance with Arkansas Code §§ 7-5-312, 7-5-416, and 7-5-417.

Representative of a Party:

I, _____, state that I am the chair or secretary of the state/county (*circle one*) committee for the _____ party with candidates on the ballot in the _____ election. I further state that I have designated _____ as an authorized party representative at the election at polling sites _____ and absentee ballot processing sites _____ in _____ County, Arkansas, to observe and ascertain the identity of persons presenting themselves to vote in person or by absentee for the purpose of challenging any voter in accordance with Arkansas Code §§ 7-5-312, 7-5-416, and 7-5-417. I further state that I have designated and authorized my representative named above to be present at the ballot counting locations at _____ in _____ County, Arkansas, for the purpose of witnessing the counting of ballots by election officials and determining whether ballots are fairly and accurately counted in accordance with Arkansas Code §§ 7-5-312, 7-5-316, 7-5-413, 7-5-416, 7-5-527, and 7-5-615.

Signature of Candidate, Group Representative, or Chair/Sec. of the St./Cnty. Committee
Acknowledged before me this ____ day of _____, 20____.
Notary Public: _____ My Commission Expires: _____

I do hereby state that I am familiar with the rights and responsibilities of a poll watcher as outlined on the back of the poll watcher authorization form and will in good faith comply with the provisions of same.

Signature of the Poll Watcher
Acknowledged before me this ____ day of _____, 20____.
Notary Public: _____ My Commission Expires: _____

I do hereby acknowledge the filing of this poll watcher authorization form with the county clerk's office.

Signature of County Clerk _____

Rev: 8/25/21

POLL WATCHER AUTHORIZATION FORM

- This form must list which Candidate, Group, or Party the poll watcher represents
- The form must be Notarized
- The form must be presented to the County Clerk with the Certificate of Completion
- County Clerk shall filemark
- County Clerk shall provide 3 copies per ACA 7-5-312 (k)(2) without a fee
- Poll Watchers must present a completed, filemarked form at the polling site to remain in the poll

POLL WATCHER AUTHORIZATION FORM

[A.C.A. § 7-5-312]

Representative of a Candidate:

I, _____, state that I am a candidate for the office of _____ in the _____ election. I further state that I have designated _____ as my authorized representative at the election at polling sites _____ and absentee ballot processing sites _____ in _____ County, Arkansas, to observe and ascertain the identity of persons presenting themselves to vote in person or by absentee for the purpose of challenging any voter in accordance with Arkansas Code §§ 7-5-312, 7-5-416, and 7-5-417. I further state that I have designated and authorized my representative named above to be present at the ballot counting locations at _____ in _____ County, Arkansas for the purpose of witnessing the counting of ballots by election officials and determining whether ballots are fairly and accurately counted in accordance with Arkansas Code §§ 7-5-312, 7-5-316, 7-5-413, 7-5-416, 7-5-527, and 7-5-615.

Representative of a Group:

I, _____, state that I represent the _____ group which is seeking passage/defeat (*circle one*) of the ballot measure entitled _____ on the ballot in the _____ election at polling sites _____ and absentee ballot processing sites _____ in _____ County, Arkansas, to observe and ascertain the identity of persons presenting themselves to vote in person or by absentee for the purpose of challenging any voter in accordance with Arkansas Code §§ 7-5-312, 7-5-416, and 7-5-417.

Representative of a Party:

I, _____, state that I am the chair or secretary of the state/county (*circle one*) committee for the _____ party with candidates on the ballot in the _____ election. I further state that I have designated _____ as an authorized party representative at the election at polling sites _____ and absentee ballot processing sites _____ in _____ County, Arkansas, to observe and ascertain the identity of persons presenting themselves to vote in person or by absentee for the purpose of challenging any voter in accordance with Arkansas Code §§ 7-5-312, 7-5-416, and 7-5-417. I further state that I have designated and authorized my representative named above to be present at the ballot counting locations at _____ in _____ County, Arkansas, for the purpose of witnessing the counting of ballots by election officials and determining whether ballots are fairly and accurately counted in accordance with Arkansas Code §§ 7-5-312, 7-5-316, 7-5-413, 7-5-416, 7-5-527, and 7-5-615.

Signature of Candidate, Group Representative, or Chair/Sec. of the St./Cnty. Committee

Acknowledged before me this ____ day of _____, 20__.

Notary Public: _____ My Commission Expires: _____

I do hereby state that I am familiar with the rights and responsibilities of a poll watcher as outlined on the back of the poll watcher authorization form and will in good faith comply with the provisions of same.

Signature of the Poll Watcher

Acknowledged before me this ____ day of _____, 20__.

Notary Public: _____ My Commission Expires: _____

I do hereby acknowledge the filing of this poll watcher authorization form with the county clerk's office.

Signature of County Clerk

QUESTIONS ABOUT RIGHTS AND RESPONSIBILITIES

- The reverse side of the Poll Watcher Authorization Form contains the Rights and Responsibilities of Poll Watchers
- Only 1 poll watcher can be recognized:
 - where voters identify themselves to election officials;
 - within the absentee ballot processing site;
 - at the counting of ballots

POLL WATCHER RIGHTS AND RESPONSIBILITIES

A poll watcher may be:

- (1) A candidate in person, but only during the counting and tabulation of ballots and the processing of absentee ballots;
- (2) An authorized representative of a candidate;
- (3) An authorized representative of a group seeking the passage or defeat of a measure on the ballot; or
- (4) An authorized representative of a party with a candidate on the ballot.

Official recognition of poll watchers:

- (1) Only one (1) authorized poll watcher per candidate, group, or party at any one (1) given time may be officially recognized as a poll watcher at each location within a polling site where voters identify themselves to election officials;
- (2) Only one (1) authorized poll watcher per candidate, group, or party at any one (1) given time may be officially recognized as a poll watcher at each location within the absentee ballot processing site where absentee ballots are processed; and
- (3) Only one (1) authorized poll watcher per candidate or party at any one (1) given time may be officially recognized as a poll watcher at the counting of the ballots.

Poll watcher credentials:

- (1) Except for candidates in person, poll watchers must present a valid affidavit in the form of a "Poll Watcher Authorization Form" to an election official immediately upon entering the polling or counting location.
- (2) Candidates in person attending a counting site or absentee ballot processing site are not required to present a "Poll Watcher Authorization Form" but must present some form of identification to an election official immediately upon entering the site for the purpose of confirming the poll watcher as a candidate on the ballot.

Poll watchers may:

- (1) Observe the election officials;
- (2) Stand close enough to the place where voters check in to vote so as to hear the voter's name;
- (3) Compile lists of persons voting;
- (4) Challenge ballots upon notification to an election official before the voter signs the precinct voter registration list and upon completing a "Challenged Ballot Form" (see Attachment "A");
- (5) Call to the attention of the election sheriff any occurrence believed to be an irregularity or violation of election law. The poll watcher may not discuss the occurrence unless the election sheriff invites the discussion; and
- (6) Be present at the opening, processing, and canvassing of absentee ballots for the purpose of challenging absentee votes in the manner provided by law for personal voting challenges.

Poll watchers representing a candidate or political party may:

- (1) Remain at the polling site after the poll closes if ballots are counted at the poll;
- (2) Be present at the counting of votes by hand or by an electronic vote tabulating device at a central location;
- (3) Be present at the counting of absentee ballots for the purpose of witnessing the counting of ballots by election officials and determining whether ballots are fairly and accurately counted; and
- (4) Upon request made to an election official, inspect any or all ballots at the time the ballots are being counted.

Poll watchers may not:

- (1) Be within six feet (6') of any voting machine or booth used by voters to cast their ballot;
- (2) Speak to any voter or in any way attempt to influence a voter inside the polling site or within one hundred feet (100') of the primary exterior entrance used by voters to the building containing the polling site; or
- (3) Disrupt the orderly conduct of the election.

POLL WATCHER NAME BADGES

- A poll watcher shall wear a **Name Badge** with the Poll Watcher's name only
- Badge cannot contain the name of the Candidate, Group, or Party.



WHERE CAN A POLL WATCHER BE?

A poll watcher shall be provided access to observe all stages of the election process

- PRE-ELECTION AND ABSENTEE VOTING
- ELECTION DAY
- POST ELECTION
- PUBLICLY AVAILABLE SPACES

PRE-ELECTION AND ABSENTEE VOTING

PRE-ELECTION

- ▶ Certification of Logic and Accuracy testing;

ABSENTEE VOTING

- ▶ The handling and receiving of absentee ballots;
- ▶ The comparison process of voted absentee ballots;

ELECTION DAY



- The handling and receiving of absentee ballots;
- Comparison process of voted absentee ballots;
- Casting of ballots;
- Spoiling of ballots;
- Voter registration at a polling location;

POST ELECTION



- Remaking of ballots;
- Vote tabulation;
- Audits;
- Recounts

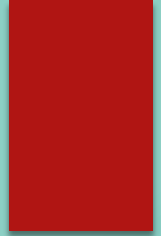
POLL WATCHER OBSERVATION AREAS

- The election officials shall designate areas for poll watchers at each location where ballots are cast in person, including:
 - ▶ (A) Courthouse;
 - ▶ (B) Early voting site;
 - ▶ (C) Vote center; or
 - ▶ (D) Polling location.

POLL WATCHER OBSERVATION AREAS

- A Poll Watcher present in the poll may observe from no closer than three feet and can't be required to stand more than six feet from the:
 - Area where voters are checking in and signing the poll book
 - A Poll Watcher can be farther away than six feet if they choose
 - A Poll Watcher must not be within six feet of a voting machine

A POLL WATCHER SHALL NOT:

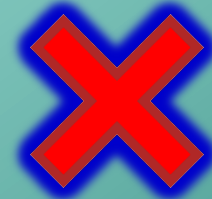


- ▶ (1) Wear campaign material advocating voting for or against a candidate, or for or against a position on a ballot question;
- ▶ (2) Interfere with a voter in the preparation or casting of a ballot; or
- ▶ (3) Hinder or prevent the performance of the duties of any election official.

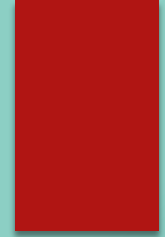
REMINDERS OF POLL WATCHER SHALL NOT'S

- ▶ BE WITHIN 6 FEET OF ANY VOTING MACHINES OR VOTING BOOTHS
- ▶ SPEAK TO VOTERS
- ▶ TRY TO INFLUENCE VOTERS:
 - Inside the poll; or
 - Inside the prohibited electioneering zones
- ▶ DISRUPT ELECTIONS

NO



A POLL WATCHER MAY:



- ▶ (1) Bring in voter lists to observe;
- ▶ (2) Speak to a poll worker to initiate a challenge to a ballot; and
- ▶ (3) Speak to a poll judge to execute a challenge to a ballot.
- ▶ (4) Challenge a ballot for review by the County Board of Election Commissioners as a **PROVISIONAL BALLOT**

POLL WATCHER VIOLATIONS

- A poll watcher who violates these laws may be expelled from all polling locations in the county for the duration of the election by the county board of election commissioners, the county clerk, or other designated election officials. *ACA 7-5-312 (h)*
- A person who uses force, intimidation, harassment, or coercion to interfere with a registered voter's ability to vote, an election official's duties, or a poll watcher's duties is guilty upon conviction of a Class A misdemeanor. *ACA 7-5-312 (i)*



HOW TO CHALLENGE A BALLOT:

- ▶ To Challenge a voter's ballot, the Challenge must be made prior to the voter signing the Poll Tablet or Poll Book
- ▶ You must notify the poll worker of your challenge

PROVISIONAL VOTER ENVELOPE

Revised: August 2023

For Election Official's Use Only: Election Official's Verification

BALLOT STYLE ISSUED: _____ County: _____

POLL NAME / LOCATION: _____

REASON(S) FOR VOTING PROVISIONAL

- Failure to Show a Qualifying Photo ID
- Poll Watcher Challenge
- Not on Precinct Voter Registration List (poll tablet)
- First-time Flagged Voter – Failed to Show Required Document
- Previously Sent an Absentee Ballot
- Marked as Having Already Voted
- Court-ordered Voting Extension
- Voter Requested an Alternative Ballot
- Other _____

I, THE UNDERSIGNED ELECTION OFFICIAL, verify that all required information has been provided on this provisional ballot envelope, that I have accurately completed the poll worker's verification, and that the voter has signed the voter eligibility affirmation below.

Signature of Election Official _____ Printed Name of Election Official _____ Date _____

PROVISIONAL VOTER ELIGIBILITY AFFIRMATION

WARNING: THIS FORM MUST BE COMPLETED AND SIGNED OR YOUR BALLOT WILL BE REJECTED.

Name of Voter _____ Prior Name (If Applicable) _____

Street Address Stated by the Voter _____ Prior Address from Poll Tablet (If Applicable) _____

City _____ State _____ Zip Code _____ Prior City, State, Zip (If Applicable) _____

Date of Birth _____ Phone Number (Optional) _____ E-mail (Optional) _____

I, THE VOTER NAMED ABOVE, hereby affirm, under penalty of perjury, that the information provided above is true and accurate and that to the best of my knowledge I am a registered voter in this precinct and am eligible to vote in this election. I understand that the county election commission will count my ballot only upon verification of my voter registration status.

CHALLENGED BALLOT FORM
(Use when a poll watcher challenges a voter)

Name of Poll Watcher

Candidate, Party, or Group Represented by Poll Watcher

I am challenging this voter in good faith on the grounds that the voter:

- Is not eligible to vote in this precinct.
- Has previously voted in this election.

SIGNATURE OF PROVISIONAL VOTER

NOTE: Perjury is a Felony and is punishable by up to 10 years in prison and up to a \$10,000 fine.

Signature of Poll Watcher

HOW TO CHALLENGE A BALLOT:

- The Challenge will cause the voter to vote provisionally
- The Poll watcher must select the reason for the challenge
- Sign the challenge ballot form section on the Provisional Voter Envelope

CHALLENGED BALLOT FORM
(Use when a poll watcher challenges a voter)

Name of Poll Watcher

Candidate, Party, or Group Represented by Poll Watcher

I am challenging this voter in good faith on the grounds that the voter:

- Is not eligible to vote in this precinct.
- Has previously voted in this election.

Signature of Poll Watcher

PROVISIONAL VOTER ENVELOPE

Revised: August 2023

For Election Official's Use Only: **Election Official's Verification**

BALLOT STYLE ISSUED: _____ County: _____

POLL NAME / LOCATION: _____

REASON(S) FOR VOTING PROVISIONAL

Signature of Election Official

Printed Name of Election Official

Date

PROVISIONAL VOTER ELIGIBILITY AFFIRMATION

WARNING: THIS FORM MUST BE COMPLETED AND SIGNED OR YOUR BALLOT WILL BE REJECTED.

Name of Voter _____ Prior Name (If Applicable) _____

Street Address Stated by the Voter _____ Prior Address from Poll Tablet (If Applicable) _____

City _____ State _____ Zip Code _____ Prior City, State, Zip (If Applicable) _____

Date of Birth _____ Phone Number (Optional) _____ E-mail (Optional) _____

I, **THE VOTER NAMED ABOVE**, hereby affirm, under penalty of perjury, that the information provided above is true and accurate and that to the best of my knowledge I am a registered voter in this precinct and am eligible to vote in this election. I understand that the county election commission will count my ballot only upon verification of my voter registration status.

SIGNATURE OF PROVISIONAL VOTER

NOTE: Perjury is a Felony and is punishable by up to 10 years in prison and up to a \$10,000 fine.

CHALLENGED BALLOT FORM

(Use when a poll watcher challenges a voter)

Name of Poll Watcher

Candidate, Party, or Group Represented by Poll Watcher

I am challenging this voter in good faith on the grounds that the voter:

- Is not eligible to vote in this precinct.
- Has previously voted in this election.

Signature of Poll Watcher

WHAT CAN YOU CHALLENGE:

- A poll watcher may challenge a voter for the following reasons:
 - The Voter is not eligible to vote at the polling site
 - The Voter has already voted

CHALLENGED BALLOT FORM

(Use when a poll watcher challenges a voter)

Name of Poll Watcher

Candidate, Party, or Group Represented by Poll Watcher

I am challenging this voter in good faith on the grounds that the voter:

- Is not eligible to vote in this precinct.
- Has previously voted in this election.

Signature of Poll Watcher

POLL WATCHERS CAN ALSO:

- ▶ Observe poll workers
- ▶ Call any perceived irregularity or election law violations to the attention of the poll judge or poll supervisor
- ▶ Compile lists of voters

TESTING OF POLL WATCHERS

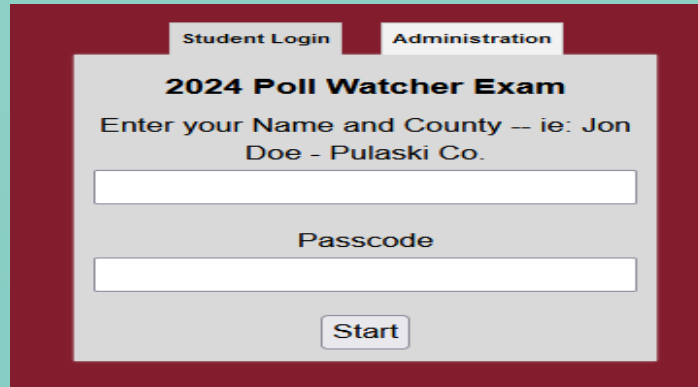
- ▶ Poll watcher must take and pass an online written exam to qualify as a poll watcher
- ▶ The test will be available online on January 8th.

ADDITIONAL INSTRUCTIONS FOR POLL WATCHERS

- Allow two business days for a “Certificate of Completion” to be emailed to you at the email address you provided in your test

Test Your Knowledge

- When you are ready to take the test go to this link <https://testmoz.com/13343442/>
- You should see the login screen like below



Student Login Administration

2024 Poll Watcher Exam

Enter your Name and County -- ie: Jon Doe - Pulaski Co.

Passcode

Start

- Enter your name
- Then enter the passcode: PW2024
- Once you have finished taking the test click the submit button
- You will get a screen displaying your score along with any questions that you missed along with the correct answer



STATE BOARD OF ELECTION COMMISSIONERS

501 Woodlane Street – Suite 122 South

Little Rock, Arkansas 72201

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info.sbec@arkansas.gov

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