

POLL WATCHERS



Prepared by:
Secretary of State

Approved by:
Attorney General, pursuant to R. S. 18:421

This public document was published at a total cost of \$1,658.40. Ten thousand copies of this public document were published in this first printing at a cost of \$1,658.40. The total cost of all printings of this document including reprints is \$1,658.40. This document was published by Office of State Printing, P. O. Box 94095, Baton Rouge, LA, 70804-9095, to provide clerks of court a booklet to instruct poll watchers on election day. This material was printed in accordance with standards for printing by state agencies established pursuant to R.S. 43:31. Printing of this material was purchased in accordance with the provisions of Title 43 of the Louisiana Revised Statutes.

POLL WATCHERS

(L.R.S. 18:427, 18:435, 18:1486)

Right to have Watchers

- Each candidate is entitled to have one watcher and one alternate watcher at every precinct on election day where the office he seeks is on the ballot in a primary or general election.
- In addition, each candidate may designate one (1) watcher as a “Super Watcher” who shall have the same qualifications, powers and duties of watchers provided by R.S. 18:427, and who shall be admitted as a watcher in every precinct in the candidate’s election.
- Any person who is supporting or opposing a proposition (including the recall of a public officer) and who has filed a report required by R.S. 18:1486 (Campaign Finance Disclosure Act) is entitled to have one watcher at every precinct in which the proposition is on the ballot.
- Federal monitors and court-ordered monitors are subject to these guidelines.

Watcher List

- The candidate files one list of watchers with the clerk of court before 4:30 p.m. on the tenth (10th) day before the primary or general election.
- When a candidate’s list of watchers is filed by the candidate’s authorized representative, a letter of authorization from the candidate shall accompany the list of watchers.
- If the tenth (10th) day prior to the election falls on a Saturday, Sunday, or other legal holiday, the list shall be filed on the next day which is not a Saturday, Sunday, or other legal holiday.
- Any person filing a list of watchers for a proposition or recall election must attach a certified statement that the report required by R.S. 18:1486 (see page 4) has been filed with the Division of Campaign Finance (225-219-5600).
- If a candidate submits a list for the primary election and does not submit a list for the general election, the list submitted for the primary election shall be treated as the list submitted for the general election.
- A list of watchers shall contain only one watcher and one alternate watcher for each precinct where the candidate is entitled to have a watcher. The same person may be listed as the watcher or alternate watcher for more than one precinct.
- The list shall be submitted on a form provided by the secretary of state (see sample) which is available from the clerk of court, or typed or legibly written on a form which contains the same information.
- The list shall contain the name and mailing address of each watcher and a designation of the precinct where he is to serve.
- Only one (1) watcher may be designated as a “Super Watcher” for every precinct on election day in the candidate’s election.

Presidential Election Watcher List

- The state central committee of each recognized political party is responsible for filing the watcher list for its slate of candidates for presidential elector.
- Watcher lists for independent or other party slate of candidates for presidential elector shall be filed by any person so authorized by the presidential candidate supported by the slate of electors. A letter of authorization from the presidential candidate, or an authorized agent of his campaign, shall accompany the list.

- The certified statement that the report required by R.S. 18:1486 (see page 4) has been filed with the Division of Campaign Finance is not necessary.

Watcher Qualifications

- Must be a qualified voter of the state of Louisiana.
- Must not be entitled to assistance in voting.
- Must not be a candidate in the election.
- May not be a law enforcement officer. "Law enforcement officer" is any employee of the state, a municipality, a sheriff, or other public agency, whose permanent duties actually include the making of arrests, the performing of searches and seizures, or the execution of criminal warrants, and who is responsible for the prevention or detection of crime or for the enforcement of the penal, traffic, or highway laws of this state. (18:428)

Watcher Commissions

- The parish board of election supervisors issues a commission to each qualified watcher.
- The Commission shall specify the precinct(s) for which the watcher is eligible to serve on election day. If a watcher is designated as a "Super Watcher", the commission shall specify such designation.
- A person shall not be commissioned as a watcher if he has been appointed as a commissioner-in-charge or selected as a commissioner in the election.
- A person selected as an alternate commissioner may be commissioned as a watcher; however, if he is called upon to replace an absent or unqualified commissioner, he shall not serve as a watcher in the election and his watcher commission shall be deemed void.
- Prior to election day, the Parish Board of Election Supervisors will deliver to each precinct a list of the watchers and alternate watchers who are entitled to serve at the election; the list will specify the precinct(s) for which each watcher is eligible to serve.

Powers and Duties of Watchers

- Shall be admitted to all parts of the polling place during the election and during the counting and tabulation of votes;
- Shall not take part in the counting and tabulation of votes;
- Shall be subject to the authority of the commissioners;
- Shall not interfere with the commissioners in the performance of their duties;
- Shall notify the commissioners of any infraction of the law;
- Shall not electioneer (electioneering includes soliciting a person in any manner to vote for or against a candidate or proposition being voted on in the election, and handing out, placing or displaying campaign cards, pictures or other campaign literature which includes t-shirts, hats, bumper stickers, etc.), engage in political discussions, or unnecessarily delay a voter at the polling place; and
- May keep notes on the conduct of the election.

Watcher's - Election Day Procedures

- BRING YOUR COMMISSION ALONG WITH A PERSONAL PHOTO ID TO THE POLLING PLACE ON ELECTION DAY!
- Precinct commissioner-in-charge will verify that the super watcher, watchers and/or alternate watchers have commissions. After verification, the precinct commissioner-in-charge shall return the commission to the watcher.

- A watcher and super watcher for the same candidate may serve at the same precinct at the same time. However, a watcher and alternate watcher may not serve at the same time, but may alternate and replace one another throughout the day.
- If the number of watchers inside a polling place interferes with the orderly conduct of the election, the commissioners shall limit the number of watchers by allowing the watchers to draw lots to determine which watchers shall be first to wait outside.
- The commissioners will try to make sure the amount of time each watcher spends inside shall be equal, if possible.
- Any person who is supporting or opposing a proposition (including the recall of a public officer) and who has filed a report required by R.S. 18:1486 (Campaign Finance Disclosure Act) is entitled to have one watcher at every precinct in which the proposition is on the ballot.

Commissioner's - Election Day Procedures

1. Identification of Voters

- Each person is to be identified by either:
 - 1) Louisiana driver's license;
 - 2) Louisiana special identification card issued by the Office of Motor Vehicles; or
 - 3) Other generally recognized picture identification card that contains the name and signature of the applicant. (examples: State ID, Military ID, Commissioner ID, University ID)
- If the applicant does not have the picture identification as specified above, the applicant shall complete and sign a VOTER IDENTIFICATION AFFIDAVIT before the commissioners, which shall include the applicant's date of birth and mother's maiden name. If the applicant is unable to read or write or is otherwise unable to complete the affidavit due to disability, the applicant may receive assistance in completing the affidavit and the commissioner shall make a notation on the affidavit. The applicant may receive the assistance of any person of his choice, including a commissioner, except a candidate, commissioner-in-charge, applicant's employer or employer's agent, or applicant's union agent. A voter who refuses to complete the affidavit shall not vote.
- An applicant who votes after executing a VOTER IDENTIFICATION AFFIDAVIT is subject to challenge.

2. Challenge of Voter at Polls

- Grounds for challenge. A commissioner, watcher or qualified voter may challenge a person applying to vote on any of the following grounds:
 - 1) The applicant is not qualified to vote in the election;
 - 2) The applicant is not qualified to vote in the precinct; or
 - 3) The applicant is not the person whose name is on the precinct register.
- Disposition of the challenge.
 - 1) If a challenge is made, a majority of the commissioners must determine whether the challenge is valid or invalid. If invalid, the applicant shall be permitted to vote.
 - 2) If the commissioners determine by majority vote that the challenge is valid, the applicant shall not be permitted to vote.

- 3) If the valid challenge is based on change of residence and the applicant has moved within the parish or has moved outside the parish within the last three months, the voter shall be allowed to vote upon completing an ADDRESS CONFIRMATION AT POLLS form.

EXCERPT FROM TITLE 18, ELECTION CODE

§1486. Proposition elections; required reports; recall elections

A.(1) Any person, including a political committee, who receives and accepts any contribution, loan, or transfer of funds, or makes any expenditure in support of or in opposition to a proposition or question submitted to the voters shall be required to file reports of such contributions and expenditures.

(2) Any person, including a political committee, who receives and accepts any contribution, loan, or transfer of funds, or makes any expenditure in support of or in opposition to the recall of a public officer shall be required to file reports of such contributions and expenditures.

(3) Except as otherwise specifically provided in this Section and in R.S. 18:1505.4 and 1505.5, the provisions for reporting and filing requirements, prohibited practices, recordkeeping, and penalties applicable to political committees shall apply to persons subject to the provisions of Paragraphs (1) and (2) of this Subsection.

B. These requirements shall be applicable only if the aggregate amount of contributions, loans, and transfers of funds received and accepted or expenditures made equals or exceeds two hundred dollars at any time during the aggregating period; except that, with regard to expenditures made in support of or in opposition to a proposition or question submitted to the voters by a person who is not a candidate or a member of the principal campaign committee of a candidate or of a political committee, these requirements shall be applicable only if the aggregate amount of expenditures made equals or exceeds one thousand dollars. "Aggregating period" for purposes of this Section shall mean the period from the date on which the first contribution is received or the first expenditure is made by the person or political committee, whichever is earlier, through the closing date for the last report required to be filed in accordance with this Chapter.

C.(1) The reports required as provided in Paragraph A(1) of this Section shall be filed not later than the thirtieth day prior to the election, which shall be complete through the fortieth day prior to the election, not later than the tenth day prior to the election, which shall be complete through the twentieth day prior to the election, and not later than the fortieth day after the election, which shall be complete through the thirtieth day after the election. During the period from midnight of the twentieth day prior to the election and extending through midnight of election day a report shall be filed within forty-eight hours after the time any contribution, loan, or transfer of funds is received and accepted or expenditure in excess of two hundred dollars is made; if such time falls other than during regular working hours, this report shall be filed with the supervisory committee on the next working day after the report is otherwise due. Such report shall provide information relative to such contributions, loans, and transfers of funds and expenditures in excess of two hundred dollars as provided in R.S. 18:1491.6(C). If the

report filed on the fortieth day after the election shows a deficit, the person or political committee reporting shall be required to file supplemental reports as required by R.S. 18:1491.6(D).

(2) Any person or political committee who is required to file reports as provided in Paragraph A(2) of this Section shall file reports as provided in this Chapter according to the following schedule:

(a) Not later than the forty-fifth day after the initial filing of the copy of the recall petition with the secretary of state as provided in R.S. 18:1300.2(C), which report shall be complete through the thirty-fifth day after the filing of the copy of the recall petition with the secretary of state.

(b) Not later than the one hundred thirty-fifth day after the filing of the copy of the recall petition with the secretary of state, which report shall be complete through the one hundred twenty-fifth day after the filing of the copy of the recall petition with the secretary of state.

(c) Not later than the two hundredth day after the filing of the copy of the recall petition with the secretary of state, which report shall be complete through the one hundred ninetieth day after the filing of the copy of the recall petition with the secretary of state, which report shall be the final report, unless the report shows a deficit, in which case supplemental reports shall be filed as required in R.S. 18:1491.6(D), or unless the person or committee is required to file reports as provided in Subparagraph (d) of this Paragraph.

(d) If the recall effort is successful in having the recall question submitted to the voters, the person or political committee shall be required to file reports as provided in Paragraph (1) of this Subsection.

“SAMPLE REPORT – issued by:
Supervisory Committee on Campaign Finance”

*State of Louisiana
Louisiana Board of Ethics
acting as the
Supervisory Committee on Campaign Finance*

Certificate of Registration

This certifies that

Democrat, Republican, Independent Voter Education PAC
25 Louisiana Avenue, NW, Washington, DC 20001
James P. Hoffa, Chairman
Affiliated Organization: International Brotherhood of Teamsters

*has filed the required statement of organization with the
Supervisory Committee on Campaign Finance Disclosure
and is in compliance with the provisions of La. R.S. 18:1491.1.
This further certifies that contributions made by this committee are subject to the
following limits:*

\$5,000 to major office candidates
\$2,500 to district office candidates
\$1,000 to any other office candidates

Expiration Date

Deborah Grier

Executive Secretary

A \$5.00 fee will be imposed for the issuance of each duplicate certificate of registration.

LIST OF WATCHERS and ALTERNATE WATCHERS

If a candidate's list of watchers is filed by the candidate's authorized representative, a letter of authorization from the candidate shall accompany the list of watchers. (R.S.18:435A)
 If any candidate submits a list for the Primary election and does not submit a list for the General election, the list for the Primary election shall be treated as his list submitted for the general election. (R.S. 18:435B) Check appropriate box: PRIMARY ELECTION GENERAL ELECTION PRIMARY AND GENERAL ELECTION

PARISH:		ELECTION DATE:	CANDIDATE NAME AND OFFICE -or- PROPOSITION TITLE:	
Choose only one (1) Super Watcher			Name	Address
	(choose one)			
Precinct	Watcher			
	Alternate Watcher			
1				
2				
3				
4				
5				
6				
7				
8				
9				
10				
11				
12				
13				
14				
15				
16				

17																			
18																			
19																			
20																			
21																			
22																			
23																			
24																			
25																			
26																			
27																			
28																			
29																			
30																			
31																			
32																			
33																			
34																			
35																			
36																			
37																			
38																			
39																			
40																			