



## Michigan Department of State

# What election challengers can and cannot do

### CAN

- Be present in the polling place
- Make challenges to the challenger liaison or the challenger liaison's designee
- Be treated with respect by election inspectors
- Be provided with reasonable assistance in performing their duties as a challenger
- Inspect applications to vote, registration lists, and other printed materials used to conduct elections, so long as the challenger does not touch or handle any of those materials and so long as the inspection does not impede the voting process
- Observe election inspectors' preparation of voting equipment at the polling place before the opening of the polls on Election Day, and observe election inspectors' handling of voting equipment after the close of polls on Election Day, so long as the challenger does not touch or handle any of that equipment and so long as that observation does not impede the election inspectors in completion of their duties
- Observe the election process from a reasonable distance, so long as election inspectors have sufficient room to perform their duties and voters are not impeded in any way
- Use electronic devices if serving in a polling place on Election Day, as long as the device is not disruptive and so long as the device is not used to make video or audio recordings of the polling place
- Observe election-related activities at a polling place on Election Day at any time the polling place is open to the public, including prior to the opening of polls or after the closing of polls
- Take notes about the election process
- Notify the challenger liaison of perceived violations of election laws by third parties, including electioneering within 100 feet of the precinct, improper handling of a ballot by a voter, or other issues
- Remain in the precinct after the close of polls or the end of tabulation and until the election inspectors complete their duties

- If serving in a polling place where ballots are being issued, stand behind the processing table and close enough to view the poll book as ballots are issued to voters and the voters' names are entered into the poll book, so long as the challenger does not touch or handle the poll book or otherwise interfere with the work of the election inspectors
- If serving at an absent voter ballot processing facility, stand in a location where the tabulation of absent voter ballots can be observed, or stand in a location where the entry of the names of voters whose ballots are being processed into the poll book can be viewed, so long as the challenger does not touch or handle any election-related materials.

## **CANNOT**

- Speak with or interact in any way with voters
- Threaten or intimidate voters or election inspectors, or attempt to threaten or intimidate voters or election inspectors at any stage of the voting process
- Speak with or interact with election inspectors who are not the challenger liaison or designee, unless given explicit permission by the challenger liaison or a member of the clerk's staff
- Make repeated impermissible challenges
- Make a challenge indiscriminately or without good cause, or for the purpose of harassing, delaying, or annoying voters, election inspectors, or any other person
- Physically touch or interact with ballots, absent voter ballot envelopes, electronic poll books, physical poll books, or any other election materials
- Stand so close to the poll book or other materials that the challenger's proximity to those materials interferes with the election inspectors' ability to perform their duties
- Use a device to make video or audio recordings in a polling place, clerk's office, or absent voter ballot processing facility
- Provide or offer to provide assistance to voters
- Wear any clothing or other apparel relating to any party, candidate, or proposition on the ballot or which disrupts the peace or order of the polling place, unless the challenger is serving at an absent voter ballot processing facility and is given permission or instructed to wear such an identifier
- Wear clothing or other apparel expressly advocating for or against the election of a candidate or advocating the passage or defeat of a ballot measure
- Set up a table or other furniture in the polling place
- If serving at an absent voter ballot processing facility between the opening and closing of polls on Election Day, use a mobile phone or any other device to take photos or record video
- Take any actions to disrupt or interfere with voting, ballot tabulation, or any other election process