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Contacts: LWV-Texas, Anita Privett, 512-467-2674  
Public Citizen, Andy Wilson,  
Common Cause,

### **DON'T LET VOTER INTIMIDATION SWAY THE ELECTION**

Last week as early voting for the Nov. 2 General Election got under way, there were complaints of poll watchers interfering with or intimidating voters and other potential election violations in Harris and Bexar Counties. Our organizations--LWV-Texas, Public Citizen, and Common Cause--condemn any and all attempts to sway this election by controlling who gets to vote.

The right to vote is sacred. People have died for this right, both in our nation's past and even in our recent history. Registered citizens should never be turned away from being able to vote. Our greatest patriots, such as Washington and Lincoln, waged war to insure that taxation without representation did not occur and to protect the notion of government for, of, and by the people. It was a Texan, Lyndon Baines Johnson, who pushed through Congress and then signed the Voting Rights Act which protects the rights of all citizens to register and to vote.

We want to encourage everyone, in Harris County, Bexar County, and across the state, to come out and vote, regardless of ideology, gender, race, income, whether your community is urban, suburban, or rural, and whether your preferred party is Democratic, Republican, Libertarian, Green, or Tea. Do not let tales of intimidation frighten you away. Instead, let these concerns be a call to action and a reminder of the importance of every citizen's right to participate.

We would like to set the record straight about what poll watchers can and cannot do. Poll watchers are an important part of the process of voting. Transparency is an important value in our democracy, and stakeholders have the right to make sure ballots are being cast in a legal manner. If, however, a poll watcher approaches you and attempts to interact with you as a voter, they are in violation of Texas law. If they hover over you or watch you as you cast a ballot, they are in violation of the law.

Texas Election Code says three things that are important here:

1. "While on duty, a watcher may not converse with a voter or communicate in any manner with a voter regarding the election." Texas Election Code section 33.058(a)(2).
2. "A poll watcher can only communicate with an election judge, and only then their communication must be limited "to call attention to an irregularity or violation of law." Texas Election Code section 33.058(a)(1).
3. Poll watchers may not follow voters anywhere, especially into the voting booth: "A watcher may not be present at the voting station when a voter is preparing the voter's ballot or is being assisted by a person of the voter's choice." Texas Election Code section 33.057(b).

We understand that some groups believe they are responding to allegations of voter fraud or irregularity by having poll watchers, but we are aware of no evidence that has been found to support these allegations. After an exhaustive investigation, the Texas Attorney General's Office could find no evidence of the type of voter fraud that poll watchers would be able to spot. On the other hand, we want to be clear, any alleged fraud should be investigated and, if warranted, prosecuted.

The essential question of government, as posed by Plato in *The Republic* is "Who will guard the guardians themselves?", or "Who will watch the Watchmen?" Who will watch the poll watchers? In our government, it is "We the People" who must be vigilant. We ask anyone who sees intimidation tactics at work to speak up. Details about an incident (date, time, voting precinct or location, behavior in question) can be reported to the County Attorney's Office (in Harris County, 713-755-5101; Rock Owens handles election issues), or Secretary of State's Office at 1-800-252-VOTE (8683).

These issues are not new. Voter intimidation and attempts to suppress the vote are as old as Jim Crow. Let us leave them in our history and move forward, not dooming ourselves to repeat the mistakes of the past.

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*The League of Women Voters of Texas is a nonpartisan political organization that encourages the informed and active participation in government and influences public policy through education and advocacy.*

*Public Citizen is a national consumer advocacy and government watchdog organization with offices in both Washington, DC and Austin, TX.*

*Common Cause is a nonpartisan, grassroots organization dedicated to restoring the core values of American democracy, reinventing an open, honest, and accountable government that works for the public interest, and empowering ordinary people to make their voices heard.*