

VIA Electronic Mail

ASchmidt@pa.gov

August 29, 2024

The Honorable Al Schmidt
Secretary of the Commonwealth
401 North Street
302 North Office Building
Harrisburg, PA 17120-3025

Dear Secretary Schmidt:

The Republican Party is committed to defending free and fair elections in Pennsylvania and across the country. As part of that commitment, we believe it is important that election officials and campaigns convey accurate information to the public about election laws. Your office ostensibly shares that commitment. The Department of State's website has a page titled: "Fact-Checking Pennsylvania-Related Election Claims."¹ It states: "We are committed to providing accurate, trustworthy information about election administration in Pennsylvania and to combatting damaging misinformation and disinformation about our elections."

We would like to bring to your attention an instance of such "misinformation and disinformation" about elections. The Pennsylvania Democratic Party has a webpage recruiting volunteers to join its "Voter Protection Team."² The webpage contains a highly inaccurate description of Pennsylvania's law regarding qualifications of poll watchers. The webpage states that Election Day Poll Observers "*must be physically present in PA for their shift, but do not necessarily have to be PA voters.*" A screenshot (dated August 27, 2024) is below:



VOLUNTEER

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What does each volunteer role do?

Election Day Poll Observer

- Poll Observer are the eyes and ears on the ground at polling places across the state on election day. They assist voters and ensure that every eligible voter can cast a ballot. We will train, assign, and support you to make sure that you are as effective as possible on Election Day. While being able to observe for the duration of election day is the goal, you can also sign up for a half day if necessary.
- *Poll Observer must be physically present in PA for their shift, but do not necessarily have to be PA voters.*

¹ <https://www.pa.gov/en/agencies/vote/elections/fact-checking-pa-related-election-claims.html>.

² <https://www.padems.org/voterprotection/>.

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This is an egregious misstatement of Pennsylvania election law. Pennsylvania law states that a poll watcher “must be a qualified registered elector of the county in which the election district for which the watcher was appointed is located.” 25 Pa. Stat. § 2687(b). It is thus a clear tenet of Pennsylvania law that poll watchers do in fact “have to be PA voters” and must be registered voters in the county in which they serve as poll watchers.

The misinformation on the PA Dems’ website threatens the integrity of November’s general election. The Democratic Party cannot be permitted to recruit poll watchers in violation of the law and flood polling places with unqualified out-of-state poll watchers across the Commonwealth. We urge your office to issue a public statement clarifying that poll watchers must be registered voters in the counties in which they serve as poll watchers. We further ask that you post a correction of the PA Dems’ misinformation and disinformation on the Department of State’s “Fact-Checking” webpage.

We are also concerned about PA Dems’ statements regarding “Early Vote Monitors,” who will “assist voters outside Boards of Election and satellite locations during early voting.” When you were a Commissioner in Philadelphia, you took the position that volunteers could *not* observe any activities at satellite election offices, where in-person absentee voting takes place. The PA Dems’ recruitment of “Early Vote Monitors” threatens chaos at satellite election offices, especially if these monitors attempt to engage in observation of voting activities. For the benefit of all candidates and political parties, please clarify the scope of permissible activities with respect to observation at satellite election offices and whether the PA Dems’ proposed activities are consistent with the position you took as a Commissioner in Philadelphia.

We further request that you demand the PA Dems cease and desist from publishing inaccurate election information to the public. Thank you for your prompt attention to this important election integrity matter.

Best regards,

Luke Bunting
Election Integrity Counsel
Republican National Committee