

The State of Texas



Elections Division
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Ruth R. Hughs
Secretary of State

September 2, 2020

Mr. David Maxwell
Director of Law Enforcement
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711

Dear Mr. Maxwell,

Pursuant to Section 31.006 of the Texas Election Code, I respectfully request your assistance in reviewing allegations of poll watchers being obstructed from observing activity at the Travis County central counting station for the July 14, 2020 election.

The complainant alleges that poll watcher, Lynn Foster, was obstructed from entering and completing his duties at the central counting station. Lynn Foster was also obstructed from reviewing central counting station returns and records. Additionally, poll watchers Cornelia Foster and her husband John Wood, were obstructed from completing their duties at the central counting station and were prevented from reviewing central counting station election returns and records.

Texas Election Code §33.056 states a watcher is entitled to observe any activity conducted at the location at which the watcher is serving. A watcher is entitled to sit or stand conveniently near the election officers conducting the observed activity and a watcher is entitled to inspect the returns and other records prepared by the election officers at the location at which the watcher is serving. Texas Election Code §33.061 says a person commits an offense if the person serves in an official capacity at a location at which the presence of watchers is authorized and knowingly prevents a watcher from observing an activity the watcher is entitled to observe. An offense under this section is a Class A misdemeanor. The complainant alleges that poll watchers were prevented from completing their poll watching duties and were prevented from reviewing central counting station election returns and records.

After review of the submitted documentation, we believe the information regarding the offenses warrants a submission for criminal investigation to the Texas Attorney General as the specific allegations described involve a potential misdemeanor offense. Accordingly, under Section 31.006 of the Code, we are forwarding this complaint to the Attorney General for investigation.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Keith Ingram', with a long horizontal stroke extending to the right.

Keith Ingram
Director of Elections

KI:LP

CC: Laura Pressley