



South Dakota Secretary of State

Monae L. Johnson
Secretary of State

Thomas J. Deadrick
Deputy Secretary of State

November 4, 2024

Allison J. Ramsdell
United States Attorney
District of South Dakota
325 S. 1st Ave., Suite 300
Sioux Falls, SD 57104

To the Honorable Allison Ramsdell,

Your Office issued a press release dated Friday, November 1, 2024 advising that Department of Justice employees will be monitoring the election locations within 4 counties in South Dakota: Bennett, Jackson, Minnehaha, and Oglala Lakota Counties. Since, my Office has received an outpouring of contacts with questions. I am writing as the chief election officer to ensure that the presence of these DOJ employees is in accordance with South Dakota law. I would be grateful if you would instruct those employees accordingly ahead of tomorrow's general election.

South Dakota law permits the public to "observe" the voting and counting activity at polling places. SDCL 12-18-9 states "Members of the public may observe the voting and counting process at any polling location in a manner that does not interfere with the duties of the poll workers or poll watchers. Each polling place must be arranged in a manner that permits each poll watcher and observer to be positioned in a location where the poll watcher and observer may plainly see and hear what is done within the polling place." While in a reputable position of trust, any DOJ employee observing the voting and counting activities will have the same privileges as a member of the public as a poll observer.

DOJ employees are not authorized to act as poll watchers. Only a "candidate, party, or ballot question committee may have poll watchers present at a polling place for the purpose of observing the voting and counting process." SDCL 12-18-9; see also ARSD 5:02:12. If a person is not one of these individuals, then they are considered a poll observer.

I am including a helpful guide to distribute to the DOJ employees as well. If there are any issues, those must be reported immediately to the precinct superintendent or to this Office.

Our state laws ensure an orderly election process while balancing transparency that does not interfere with the voting process. Thank you for your cooperation.

Sincerely,

Monae L. Johnson
Secretary of State