



**Election Observer Guidelines  
Statewide Direct Primary Election  
June 7, 2022**

**I. County and System Information**

San Joaquin County Registrar of Voters (ROV) uses the Verity Voting System. The County's voting system vendor is Hart InterCivic (Hart). The Verity Touch Writer equipment allows voters with visual and motor disabilities to vote privately and independently. The Verity Touch Writer equipment is used in the ROV downtown office and at polling place locations. Verity Central is used to scan Vote by Mail (VBM) ballots, provisional ballots, conditional voter registration (CVR) ballots and paper ballots cast on Election Day.

The ballot layout components of the voting system are Verity Data and Verity Build, while the tabulation component is Verity Count. No aspect of the voting system is connected to the internet or any other county network. Under law, voting systems must be on a closed, secure network.

The ROV voter registration and election management system is DFM's Election Information Management System (EIMS) and is used to process voter registration, Vote by Mail, provisional ballots and other election administration functions. VoteCal is the California Secretary of State's (SOS) statewide voter registration database.

The ROV website, [www.sjcrov.org](http://www.sjcrov.org), is securely hosted by the San Joaquin County Information Systems Department (ISD). Election results reporting on the web is also hosted on a secure site.

**II. Purpose**

California requires each county to develop an Election Observer Panel Plan to provide local rules to all election observers, whether partisan or nonpartisan, to ensure:

- Orderly public observation of the election process
- Transparency of all aspects of the election process
- Encouragement of public participation
- Voter confidence in the election process



The purpose of an Election Observer Panel Plan is to provide an avenue for public observation and allow observers the opportunity to provide input into the election process. Public participation ensures integrity and voter confidence in the electoral process.

### III. Check-In Procedures

1. All observers must report and sign in daily at the front counter located at 44 N San Joaquin St, 3<sup>rd</sup> Floor, Suite 350, Stockton CA 95202.
2. Valid Identification (ID) will be required when signing in, and held at the front counter during the observer process.
3. Please wear Election Observer Badges issued at check-in at all times.
4. After completing daily observer activities, badges must be returned at the check-in station or the front desk to retrieve ID.

On election night, June 7, 2022, all observers must report and sign in at the Registrar of Voters central counting location located at the ROV warehouse 7585 S. Longe St. Suite 112, Stockton, CA.

### IV. General Rules for Observers (County Policy)

The number of observers may be limited so as not to interfere with the process. Operations will continue as scheduled whether or not observers are present. Observers who fail to follow these rules will be required to leave the facility for the duration of the day.

1. Discussion of politics, campaigns or candidates are **not** allowed among observers within the facility or at polling places. This is considered a form of electioneering.
2. Observers shall **not** interfere with the orderly processing of Vote by Mail (VBM) ballot return envelopes or processing and counting of VBM ballots, including touching or handling of the ballots or envelopes.

Elections Code § 15104e



3. Observers will be permitted access to a designated observation area, sufficiently close to observe and challenge whether individuals handling VBM ballots are following established procedures.

Elections Code § 15104d

4. Challenges shall be discontinued if the challenge process unduly impedes or interferes with the verification process.
5. Briefcases, purses, backpacks, cell phones, cameras, radios, and recording devices are not allowed. You may not use your cell phone in the building.
6. Observers may not assist in operations, touch or handle ballots or other election related materials or equipment.
7. All questions concerning the election process must be directed only to a Supervisor, Management Analyst, Assistant Registrar of Voters, or Registrar of Voter.
8. Observers must avoid physical contact with employees.
9. Observers are to hold conversations outside the designated work areas.
10. Observers must remain in the area they were assigned to. If observers are found unsupervised in an area that was not assigned, the observer will be escorted from the building.

#### V. Other Rules for Observers (State Guidance)

Observers are responsible for:

- Checking in at each site, whether polling place or central counting site
- Wearing an identification badge
- Maintaining a professional manner while observing the election process
- Ensuring they do not interfere with the election process
- Following established County observation rules/policies
- Being courteous to poll workers and election officials. Speak to them only when it is convenient and does not interfere with the conduct of the election.



Observers may:

- Observe the proceedings at the polls, including the opening and closing procedures
- Obtain information from the precinct index that is posted near the entrance
- Make notes and watch election procedures
- View election-related activities at the central counting site on Election Day
- View the canvass of the vote activities following the election
- View vote by mail and provisional ballot processing
- Ask questions of poll workers or voters at the polls as long as they do not interfere with the conduct of any part of the voting process
- Ask questions of management at the central counting site as long as they do not interfere with the conduct of the election procedures

Observers may not:

- Interfere in the judgment of the elections official with the conduct of the election
- Move or rearrange tables, chairs, or voting booths at the polling place or central counting facility
- Sit at the official worktables or view confidential voter information on any computer terminal or document
- Communicate with voters within 100 feet of the entrance to, or inside of, a polling place, a vote center, an elections official's office, or a satellite location, regarding the casting of a vote, or speak to a voter regarding his or her qualifications to vote
- Display any election material or wear campaign badges, buttons or apparel
- Wear the uniform of a peace officer, a private guard, or security personnel
- Use the telephones, computers or other polling place facilities at polling places or the central counting site
- Talk to or attempt to stop the central counting site workers while they are processing ballots
- Make physical contact with election personnel
- Eat or drink in the polls or the central counting site
- Assist in operations at any polling place or the central counting site
- Prevent other observers from observing materials or a process
- Enter secure areas without the express permission of the elections official



#### Observers at Tabulation Locations:

- Well-designed video programs may provide a sufficient alternative, or way to supplement in-person observation by a small number of observers.
- If a video is not feasible, allowances for the space and personal disinfection needs of observers can be made in certain work areas.

#### Observers at Voting Locations:

- Observations are based on State and County guidance.
- Observation is based on how many observers can be safely accommodated at each site.
- If more observers seek entry than permitted or refuse to comply with health guidelines, poll workers will use State and County guidance to maintain compliance.

#### VI. Ballot Handling Challenges

1. Any member of the County Grand Jury, and at least one member each of the political party Central Committees or County Councils, and any other interested organizations - who have a candidate on the ballot - shall be permitted to observe and challenge the procedural manner in which the VBM ballots are handled, from the processing of VBM ballot return envelopes through the counting and disposition of the ballots (Elections Code §15104b).
2. Observers may not challenge signatures on VBM ballot return envelopes. Only the elections official shall perform signature comparison, in accordance with Division 3 of the California Elections Code.
3. Observers may challenge whether the individuals handling VBM ballots are following established procedures.

#### VII. Canvass

Canvass begins the day after the election and continues everyday (excluding Sunday) until complete. Per Election Code law, Canvass procedures must be completed within 30 days after the date of the election. All canvass procedures are open to the public, and the same election night guidelines are applied to canvass proceedings. The canvass resumes each morning and does not wait for your arrival, nor will it be halted until completed.



Any questions on procedures should be made directly to the management staff, and not to individual workers. No communication between canvass workers and observers will be allowed regardless of the topic. If you are seen communicating directly with a canvass worker, you will be asked to leave.

No food or drinks will be allowed in the canvass area around any ballots. We kindly ask observers to eat and drink at a local restaurant or outside the premises during breaks.

Restroom facilities are limited, please request a badge for the restroom and return it to the front counter.

#### VIII. Things to Remember – Election Code 18562.5

- (a) A member of the public is guilty of a misdemeanor if, while observing any of the following, he or she willfully engages in any conduct set forth in subdivision (b):
- (1) The processing of vote by mail ballots conducted pursuant to Chapter 2 (commencing with Section 15100) of Division 15.
  - (2) The semifinal official canvass conducted pursuant to Chapter 3 (commencing with Section 15150) of Division 15.
  - (3) The official canvass conducted pursuant to Chapter 4 (commencing with Section 15300) of Division 15.
  - (4) A recount conducted pursuant to Chapter 9 (commencing with Section 15600) of Division 15.
- (b) (1) Attempting to ascertain the identity and ballot choices of a voter, or having observed or learned the identity of a voter, attempting to ascertain the ballot choices of that voter.
- (2) Opening a provisional or vote by mail ballot envelope containing a voted ballot in order to ascertain the voter's ballot choices.
  - (3) Making or placing a mark or device on a ballot or secrecy envelope in an attempt to ascertain the voter's ballot choices.



## IX. COVID Addendum

Like employees, observers are required to follow local, state, and federal guidelines involving the wearing of face coverings (masks) when present at ROV worksites, whether at the ROV workplace or performing observation off-site. The face covering requirement does not apply to observers who have a medical or mental health condition that prevents the use of a face covering when:

- Interacting in person with any member of the public or ROV staff;
- Working in any space visited by members of the public, regardless of whether anyone from the public is present at the time;
- Working in or walking through common areas, such as hallways, stairways, elevators and parking facilities;
- In any room or enclosed area where other people (except for members of the person's own household or residence) are present when unable to physically distance.

Note: Face coverings are not Personal Protective Equipment (PPE) on their own but combined with physical distancing they help prevent infected persons without symptoms or who are presymptomatic from unknowingly spreading the coronavirus.

Please follow the guidance of all COVID posters, notices, and/or signage located at each ROV work site and displayed in common areas that provide physical distancing guidelines.

1. Encourage sick observers to stay home.
2. If an observer becomes symptomatic of COVID-19 while observing, they should immediately leave the site and seek medical treatment, depending on the symptoms.
3. ROV staff will adhere to state guidance and local public health agency recommendations regarding the prearrangement of office and workplace furniture to maintain physical distancing, as much as possible. Observers are required to comply.
4. To the extent supplies are in stock and readily available for distribution, observers will have access to appropriate hygiene products in the workplace.



5. ROV will place signs and/or instructions in common areas (e.g., reception area, break rooms, public common areas, etc.) to communicate physical distancing requirements and to provide other COVID-19 infection prevention information to the general public entering the worksite and buildings
  
6. ROV staff will regularly evaluate the workplace for compliance with this addendum.

#### COVID Operating Procedures for Observers

If requested, observers will receive a tour of the ROV facility. Social distancing and compliance with the guidelines above must be maintained during the entire onsite tour of the ROV facility.

To accommodate observation and recommended COVID protocols, the ROV may set up designated viewing areas and will use cameras/television monitors to provide remote observation of election activities in work areas with high traffic as necessary.

If deemed necessary, due to COVID social distancing guidelines, occupancy levels of ROV workrooms are limited to ROV staff in order to maintain safe elections operations.