



PUBLIC OBSERVATION GROUND RULES

Health and Safety Measures

In addition to the rights and responsibilities set forth in this document, election observers must adhere to all health and safety provisions in place in San Diego County at the time of observing.

All election observers shall follow practices that help control and prevent the spread of the flu and colds, including daily self-screening at home prior to arriving at the observation location. When performing daily self-screening, check for the following symptoms:

- Frequent cough
- Fever
- Difficulty breathing
- Chills
- Muscle pain
- Headache
- Sore throat
- Recent loss of taste or smell

Election observers should stay home if they are experiencing any of the above symptoms. In addition, the observer should stay home if they:

- Feel sick
- Have tested positive for COVID-19

Face masks and hand sanitizer are available upon request.

All observers must follow posted guidelines in order to observe ballot processing activities at the Registrar of Voters office.

The Registrar of Voters will determine the maximum number of observers at one time in each observation area due to space and equipment constraints.

No bulky items will be allowed (such as large purses, bags, backpacks, etc.). All personal items must be carried or worn and cannot be stored on the ground or surrounding workspaces.

In certain observation areas, clearly marked spaces are the only place an observer may be allowed to stand. This may be due to space restrictions and/or safety concerns.

WHO IS ALLOWED TO OBSERVE?

Any person may make a request to the Registrar of Voters to observe the activities related to the preparation and conduct of an election, including logic and accuracy testing, processing mail and provisional ballots; tabulating ballots; reconciling vote centers and conducting the 1% Manual Tally.

Once a request is received, the Registrar of Voters will issue a name tag before entering the observation area.

- a. All observers must check-in and receive a name tag before entering the building and/or observation areas.
- b. This name tag must be worn at all times while in the office and is to be returned at the end of the day.
- c. Unless escorted by designated Registrar of Voters personnel, this name tag provides the observer with access to the public area and the restroom facilities ONLY.

INDIVIDUALS, GROUPS AND ORGANIZATIONS

Individual Public Observers

- a. The number of individual public observers may be limited by the Registrar of Voters if the overall number of observers interferes with conducting the observed process.
- b. To allow all observers the opportunity to observe at a sufficiently close range, the Registrar may establish a rotation system for individual observers, giving preference to groups and organizations that represent a party or contest.

INDIVIDUALS, GROUPS AND ORGANIZATIONS (continued)

Groups and Organizations

- a. The number of representatives from each organization or campaign who serve as observers may be limited by the Registrar of Voters if the number interferes with the observed process.
- b. To allow all groups and organizations an opportunity to observe at a sufficiently close range, the Registrar may establish a rotation system.
- c. There is an order of priority should the number of observers exceed the amount allowed inside an area where processing of ballots occurs. It is as follows:
 1. Political parties;
 2. Campaigns which have an item on the ballot;
 3. Interested organizations;
 4. Individual
- d. If organizations or committees appoint more than one observer, the Registrar will require those organizations and committees to appoint a spokesperson for their group. A different spokesperson may be appointed periodically upon notification to the Registrar of Voters.
- e. Observers must work through their organization's spokesperson to address any issues or concerns.

ACCESS

Observers will have reasonable access to all parts of the election process as allowed by the Registrar.

- a. Observers may move about designated areas to observe election processes while providing reasonable air space for Registrar of Voters staff. Space may be limited depending on the election activity being performed.
- b. Extra observers may wait in the lobby areas or outside in the Elections Plaza.

PERMITTED ACTIVITIES

Observers **MAY**:

a. Ask questions:

To ensure uniformity in response, the Registrar of Voters reserves the right to request observer questions be placed in writing. Observer Inquiry Forms may be obtained at the front desk at the time of check-in. Forms can be submitted to the Registrar of Voters escort.

Frequently asked questions will be posted in the main lobby for observers to read. All other questions will be answered as time permits.

b. Videotaping or audio recording observed processes at designated areas:

Video or audio recording may be permitted in observation areas. Designated areas will be marked. Depending on observed processes, the Registrar of Voters may prohibit video recording that would expose identifiable voter information, or the votes cast by a voter.

It is the policy of the Registrar of Voters that any request to record (video and/or audio) responses to questions or conduct an interview must be directed to the Registrar.

c. Challenge (see Attachment A & B):

- i. Challenge the way vote by mail ballots are handled and whether those employees handling vote by mail ballots are following established procedures and training.
- ii. Challenge a vote by mail voter for the same reasons as against a voter voting at a vote center.

PROHIBITED ACTIVITIES

Observers **MAY NOT**:

- a. Touch the ballots or ballot envelopes at any time.
- b. Interfere with or disrupt the observed processes, including: logic and accuracy testing, mail ballot processing, provisional ballot processing, reconciliation of vote centers, 1% Manual Tally, and tabulating of ballots.
- c. View confidential voter information on any computer or document, including the disclosure of a voter's voted ballot.
- d. Use cell phones or two-way radios while in the observation areas. Latitude will be given for use of cell phones when being used as a recording device in designated area (refer to PERMITTED ACTIVITIES).
- e. Direct their questions to Registrar of Voters staff/canvassers (refer to PERMITTED ACTIVITIES).
- f. Move outside designated observation areas.
- g. Bring food. Drinks with a cap or spill-proof lid will be permitted.

OBSERVER REMOVAL

Observers who interfere, disrupt, intimidate or break any of the above ground rules may be removed from the observation area and/or the building.

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ATTACHMENT A

CHALLENGE PROCEDURE

1. An observer may submit a challenge in the following manner:
 - a. All challenges must be made prior to the opening of the identification envelope of the challenged vote by mail voter. (EC 15105)
 - b. The observer addresses the supervisor and states the reason for the challenge.
 - c. Receive, complete, and sign the challenge form documenting the name of the challenged voter and the reason(s) for the challenge.
 - d. The challenger shall have the burden of providing extraordinary proof of the validity of the challenge at the time the challenge is made. (EC 15106)
 - e. The Registrar of Voters shall determine whether the challenge is to be allowed. Such determination shall be final.
2. If the challenge is overruled, the board shall open the identification envelope without defacing the affidavit printed on it or otherwise damaging or viewing the ballot and store it in a secure location. (EC 15107)
3. If the challenge is allowed, the board shall endorse on the face of the identification envelope the cause of the challenge and its disposition. (EC 15108)

REASONS FOR A CHALLENGE

1. An observer of mail ballot processing activities may challenge whether those individuals handling mail ballots are following established procedures, including the following:
 - a. Verifying signatures on the vote by mail ballot return envelopes by comparing them to voter registration information,
 - b. Accurately duplicating damaged or defective ballots, and
 - c. Securing vote by mail ballots to prevent tampering before they are counted on election day. (EC 15104)
2. Challenges with supporting evidence may be entered on the grounds that the ballot was not timely received pursuant to Elections Code, the person is imprisoned for the conviction of a felony, or for the same reasons as against a voter voting at a vote center (EC 15105):
 - a. The voter is not the person whose name appears on the roster,
 - b. The voter is not a resident of San Diego County,
 - c. The voter is not a United States citizen, or
 - d. The voter has already voted [EC 14240(a)(1) – (4)].

As provided in EC 15106, because the voter is not present, the challenger shall have the burden of providing extraordinary proof of the validity of the challenge at the time the challenge is made.

SAMPLE OF CHALLENGE FORM

<p style="text-align: center;">MAIL BALLOT & PROVISIONAL ENVELOPE PROCESSING OBSERVER CHALLENGE FORM</p> <p>Date: _____ Sequence or AV ID #: _____</p> <p>Name of <u>Process</u> or <u>Voter</u> Being Challenged: _____</p> <p>Reason for Challenge (see reverse side):</p> <p>_____ Employee is not following established processes or procedures for: _____</p> <p>_____ Voter Challenge (must provide extraordinary proof): _____</p> <p>Challenger's Name: _____ Representing: _____</p> <div style="border: 2px solid black; padding: 5px;"><p>Disposition of Challenge:</p><p>Count/No Count/Other: _____</p><p>Reason for Disposition: _____</p><p>Registrar of Voter's Final Decision: _____</p><p>Additional Comments: _____</p></div>
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Process Challenge: An observer of mail ballot processing activities may challenge whether those individuals handling vote by mail ballots are following established procedures, including the following:

1. Verifying signatures,
2. Duplicating damaged or defective ballots, or
3. Securing vote by mail ballots.

Vote by Mail Voter Challenge: Observers may present a challenge and extraordinary proof for the same reasons as against a voter at a vote center:

1. Voter is not the person whose name appears on the roster,
2. Voter is not a resident of San Diego County,
3. Voter is not a citizen of the United States,
4. Voter already voted,
5. Mail Ballot not timely received, or
6. Voter is imprisoned for the conviction of a felony.

Note: Any voter challenge must be made prior to opening the envelope and the challenger has the burden of providing extraordinary proof of the validity of the challenge at the time the challenge is made.

Version 11/05/2024

ACKNOWLEDGMENT

I, _____, hereby acknowledge that I
(Print Name)
have read and received a copy of the Public Observation Ground Rules (with attachments); and, I agree to abide by the ground rules for election observers during the November 5, 2024, Presidential General Election. I understand that I may be escorted out of the Registrar of Voters office should I not abide by these ground rules.

(Election Observer Signature)

(Date)

The Public Observation Ground Rules is for you to keep and reference.

Note: Observers who decline to sign this acknowledgment are still obligated to follow these Public Observation Ground Rules.

YOUR COPY

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I, _____, hereby acknowledge that I
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(Election Observer Signature)

(Date)

The Public Observation Ground Rules is for you to keep and reference. Please sign this page and separate it from remaining document. The signature page may be submitted at the front counter or to your observer escort.

Note: Observers who decline to sign this acknowledgment are still obligated to follow these Public Observation Ground Rules.

SIGN & TURN IN