

Observer Rights

- Observe pre-Election Day activities, as permitted by law, such as voting equipment preparation and testing and vote-by-mail ballot processing.
- Observe the proceedings at vote centers, including the opening and closing procedures.
- Get information from the voter list that is posted or otherwise available at a vote center.
- Take notes and watch election procedures.
- Observe election-related activities at the central counting site on Election Day.
- Observe the post-election canvass of the vote.
- Observe vote-by-mail and provisional ballot processing.
- Ask questions of election workers, as long as doing so does not interfere with the conduct of any part of the voting process.
- Ask questions of supervisors at the central counting site, as long as doing so does not interfere with the conduct of the election procedures.
- Use an electronic device, including a smartphone, tablet, or other handheld device, provided that the use of the device does not result in a violation of any other provision of the Elections Code.

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OBSERVER GUIDELINES



NEVADA
COUNTY
CALIFORNIA

Clerk Recorder
Registrar of Voters

Overview

Election Observers should note that, in general, the law provides Election Officials with some discretion in terms of how various observation laws are applied. How a law is applied varies from county to county. These guidelines apply to Nevada County.



Observer Check In Procedures

- ✓ Check in daily at each site, whether with the Vote Center Manager or front counter of the Elections Office.
- ✓ Sign an acknowledgment of receipt of these Election Observer Guidelines.
- ✓ Adhere to state and county public health guidelines, including mask wearing.
- ✓ Wear an identification badge.
- ✓ Maintain a professional manner while observing the election process.
- ✓ Refrain from interfering with the elections process.
- ✓ Follow established county observation rules and policies.

Observers Must Not:

- Interfere with the conduct of the election. The elections official determines whether a person is interfering with election conduct.
- Physically handle any voting materials or equipment.
- Move or rearrange tables, chairs, or voting booths at a vote center or central counting facility.
- Sit at official worktables or view confidential voter information on any computer terminal or document.
- Assist in operations at any vote center or the central counting site.
- Speak to a voter about candidates and measures on a ballot within 100 feet of the entrance to, or inside of, a vote center, an elections official's office, or a satellite location.
- Speak to a voter in regard to the voter's qualifications to vote.
- Conduct an exit poll within 25 feet of the vote center entrance.
- Directly challenge a voter. Only a member of a precinct board may do so, based on evidence presented.
- Prevent other observers from observing materials or a process.
- Display any campaign material or wear campaign badges, buttons or apparel.
- Wear the uniform of a peace officer, a private guard, or security personnel.
- Use a two-way radio inside the vote center and/or within 100 feet of the entrance to the vote center.
- Talk to or attempt to stop vote center workers or the central counting site workers while they are processing ballots.
- Touch election personnel.
- Enter secure areas without express permission from the elections official.

Anyone not adhering to these rules will be asked to leave.

Vote-by-Mail Challenge Procedures

Observers may challenge whether the individuals handling VBM ballots are following established procedures. Established procedures of the Nevada County Elections Office include the following:



VERIFYING SIGNATURES AND ADDRESSES BY COMPARING THEM TO VOTER REGISTRATION INFORMATION

ESTABLISHED PROCEDURE: In Nevada County, the address comparison is completed while the VBM application is being processed (Elections Code Section 3009a). Signature comparison is done at the time a return batch is processed and the return status is entered into the voter's record. A return status code on the list of VBM voters indicates that the record was processed.



ACCURATELY DUPLICATING ANY DAMAGED OR DEFECTIVE BALLOTS

ESTABLISHED PROCEDURE: Two Election Officials must work together on this process. One worker watches and proofs and the second worker transfers the exact votes from the original to the duplicate ballot. The workers write, in red pen, the duplication cross-reference sequence number on the original/old ballot, as well as on the duplicated/new ballot. The original/old ballot is placed in an "Archived Originals" manila precinct envelope and the duplicate/new ballot is ready to scan.



SECURING VOTE BY MAIL BALLOTS TO PREVENT TAMPERING BEFORE COUNTING

ESTABLISHED PROCEDURE: Returned VBM ballots are kept in secure storage areas when not being worked on by the Elections Office staff. Persons other than Elections Office personnel are not allowed access to the storage areas unless escorted by Elections Office personnel. Two or more Election staff members must be present in any work area when ballots are being handled. No containers with ballots shall be left unattended unless they are locked in the secure storage area.