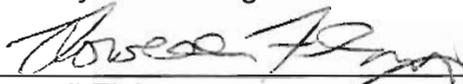




DEBRA BOWEN | SECRETARY OF STATE | STATE OF CALIFORNIA
1500 11th Street, 6th Floor | Sacramento, CA 95814 | Tel (916) 653-7244 | Fax (916) 653-4620 | www.sos.ca.gov

December 20, 2007

To: County Clerks/Registrars of Voters (07270)

From: 

Lowell Finley
Deputy Secretary of State, Voting Systems Technology & Policy

Subject: **Election Observer Panel Plan - February 5, 2008, Presidential Primary Election**

This is a follow-up to Wednesday's conference call where the Secretary discussed the need for counties to submit their Election Observer Panel Plan to this office prior to each election.

This requirement is one of the conditions placed on voting systems certified for use in California and is unchanged from the requirement counties were informed of prior to the election in 2005 and 2006.

Attached to this memo, is an Election Observer Panel Plan template for your use in preparing your plans for the February 5, 2008, Presidential Primary Election.

As the Secretary noted during the call, she'd like to begin posting the county submissions on the official www.sos.ca.gov web site as soon as possible. The goal is to begin posting them by the second week of January, so we hope you can provide your Election Observer Panel Plans to the Secretary of State by Friday, January 4, 2008.

Submissions should be mailed to:

Ryan Macias
Office of the Secretary of State
Office of Voting System Technology Assessment
1500 11th Street, 6th Floor
Sacramento, CA 95814

Please contact Ryan Macias or Jason Heyes at (916) 653-7244 if you have any questions about these plans.

Election Observer Panel

I. County and System Information

1. Name of County
2. Name of Contact
3. Contact's Phone
4. Vendor and Voting Systems Used by County
5. Date

II. Purpose

The purpose of an Election Observer Panel is to:

1. Provide an avenue for public observation of and input into the election process.
2. Assist in ensuring the integrity of the election process.
3. Encourage participation and build voter confidence in the election process.

III. Invite

Between E-60 and E-30, prepare letters of invitation (see sample attached) to the following:

1. County Grand Jury
2. Political Party Central Committee Members
3. Advocacy Groups
4. League of Women Voters
5. Media

Other groups or individuals expressing an interest in observing election day activities may also be included in the observer panel.

Note: You might want to consider offering to meet with groups to provide an opportunity for the group members to ask questions about the process.

IV. Appointment Letters (for introduction to precinct workers)

After the groups have provided the names of interested panelists, prepare letters of introduction (see sample attached) for the panelist to use when visiting polling places on election day. Materials to be prepared for each panelist will include a listing of all polling places within the county for that specific election as well as the central counting site location and hours of operation.

V. Mechanism for Feedback

Consider providing observers with a checklist and/or questionnaires to be completed and returned to you.

General Rules for Observers

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 all procedures.
- View all activities at the central counting site on election day.
- View the canvass of the vote activities following the election.
- View absentee and provisional ballot processing.
- Ask questions of staff or voters at the polls.
- Ask questions of supervisors at the central counting site.

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 processes.
- Ensuring they do not interfere with the elections process.

Observers may not:

- Interfere in any way with the conduct of the election.
- Touch any voting materials or equipment or sit at the official worktables.
- Converse with voters (within 100 feet of the entrance to a polling place) 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 cellular phones, pagers, or two-way radios inside the polling place and/or within 100 feet of the entrance to the polling place.
- Talk to central counting site workers while they are processing ballots.
- Use the telephones, computers or other polling place facilities at polling places or the central counting site.
- Touch election personnel.
- Eat or drink in the polls or the central counting site.
- Assist in operations at any polling place.

SAMPLE LETTER OF INVITATION

Date (E-60 to E-30)

Dear XXX:

The Department of Elections will convene an Election Observer Panel to observe activities associated with the XXX Election, which will be held on XXX date. Representatives of the county central committees, advocacy groups, the League of Women Voters, and the County Grand Jury, as well as media representatives, will be invited to participate.

Typically, members of the Panel visit one or more polling places on Election Day and then visit the ballot counting center to observe the tabulation of ballots on election night. Panel members are also invited to observe staff at the Department of Elections as they process absentee ballots. Members of the Panel will be provided with the information they need to participate in these activities.

If your organization would like to be represented on the Election Observer Panel, please notify XXX by mail, by phone at xxx-xxxx or by email at XXX. Please respond by XXX date, with the name of your representative. XXX will be available to meet with Panel members to explain their role in greater detail and to provide them with the information they will need.

Thank you for your interest in protecting our electoral system.

Sincerely,

XXX
Registrar of Voters/County Clerk

SAMPLE LETTER OF INTRODUCTION

Date (no later than E-5)

TO: Precinct Inspectors

FROM: XXX
Registrar of Voters/County Clerk

SUBJECT: ELECTION OBSERVER PANEL

This letter introduces XXX, whom I have appointed to the Election Observer Panel for the XXX election. Members of the Election Observer Panel are invited to observe activities related to the administration of an election, including visiting polling places.

No person, including a member of the Election Observer Panel, may interfere with the operation of polling places. XXX and other members of the Election Observer Panel may ask you to explain certain operations and procedures. Please extend every courtesy to XXX.

If you have any questions, please call me at xxx-xxxx.

Thank you for your cooperation and your service to our county's voters.