



A GUIDE FOR POLL WATCHERS

POLL WATCHERS are persons interested in election proceedings who are entitled to observe polling place operations during voting hours. However, poll watchers may not disrupt the election process or interfere with a voter's right to cast a secret ballot. Poll watchers often represent candidates, political campaigns and/or organizations.

PRECINCT WORKERS are appointed by the Registrar of Voters and are responsible for all phases of the election that take place at the polls. They will comply with poll watchers' requests for voter information as allowed by law.

The following pages contain rules and procedures that all poll watchers (observers) at the polling places must comply with at all times.

County of San Luis Obispo **COUNTY CLERK-RECORDER**

Poll watchers have the right to view all procedures at a polling location and/or at the central counting location. **Please be courteous to our precinct workers as they are working a very long day and doing their very best. Remain quiet and do not disturb precinct workers or voters.** Although poll watchers/observers are allowed by law, there are rules and guidelines that must be followed.

POLL WATCHERS MAY:

1. Observe the proceedings at the polls, including the opening & closing procedures.
2. Obtain information from the Precinct Indexes that are posted near the entrance.
3. Make notes and watch all procedures.
4. Observe and inspect, without physical contact, the integrity of all externally visible security seals used to secure voting equipment in a time and manner that does not interfere with the conduct of the election or the privacy of any voter.

POLL WATCHERS MAY NOT:

1. Interfere in any way with the conduct of any election.
2. Converse with precinct workers or voters in such a manner as to interfere with or delay the voting process. (Questions regarding the election process shall be directed to the Elections Office staff).
3. Touch any voting materials or equipment or sit at the official precinct board table.
4. Use the area between the official precinct board tables, voting booths and vote tabulating equipment as observation point/post.
5. Intimidate or impede Precinct workers or Voters in any way.
6. Interfere with the timely closing of polls or transmission of the voting results.
7. Converse with voters (within 100 feet of the entrance to a poll) relating to the casting of a vote, display any campaign material, wear candidate badges or speak to a voter relating to their qualifications to vote.
8. Photograph, videotape or otherwise record a voter entering or exiting a polling place.
9. Use cellular telephones, pagers or two-way radios inside the polling place, &/or within 100 feet of the entrance to the polling place.
10. Monopolize &/or remove the posted precinct indexes so that others are unable to use them.
11. Use telephone or other polling place facilities other than those available to the general public.

NON-COMPLIANCE WITH RULES:

1. If a poll watcher declines to observe the rules, the Inspector or Chief Precinct Worker shall ask the poll watcher to leave the polling location.
2. If the poll watcher fails to follow the directions of the Inspector or Chief Precinct Worker, the Inspector or Chief Precinct Worker will contact law enforcement.

LAWS TO BE AWARE OF:

1. Interference with precinct workers: Any person who **in any manner interferes** with the officers holding an election or conducting a canvass, or with the voters lawfully exercising their rights of voting at an election, as to prevent the election or canvass from being fairly held and lawfully conducted, is **punishable by imprisonment** in the state prison for 18 months or two or three years. (E.C. Sec. 18502)

Only precinct workers have the right to challenge a person's eligibility to vote at the polls. A challenge may be made only upon sufficient probable cause. Precinct workers are instructed to report the presence of any persons or signs which may be intimidated to voters or cause interference with the voting process to the Elections Office. (E.C. Sec. 14240)

2. Damaging or tampering with voting equipment or official election materials in a polling place is a felony, punishable by imprisonment for 2, 3, or 4 years. (E.C. Sec. 18564)
3. No person shall, with the intent of dissuading another person from voting, within 100 feet of the polling place:
 - a. Solicit a vote or speak to a voter on the subject of marking his or her ballot.
 - b. Place a sign relating to voters qualifications or speak to a voter on the subject of their qualification.

- c. Photograph, videotape or otherwise record a voter entering or exiting a polling place. (E.C. Sec 18541)
4. Electioneering is not permitted within 100 feet of the polling place; that is, within 100 feet from the entrance or door to the room or rooms in which voters sign the roster and cast their ballots. Exit polling is permitted, however, no closer than 25 feet of polling places by news media or other organizations surveying voters as to how they voted. Media may come into a poll to film or interview voters, including voters in the booth, as long as the voter consents and there is no disruption to other voters or the voting process. (E.C. Sec. 18370 and A.G. Opinion)

Only precinct workers can post signs within 100 feet of the polling place.

5. Poll watchers may not sit at the official table. (E.C. Sec. 14223(a))
6. Wearing campaign badges or taking campaign material or literature into the polling place is not permitted.
7. The area between the official table and the voting booths is accessible to voters only and may not be designated as an observer post. (E.C. Sec. 14221)
8. Indexes marked to indicate persons who have voted are posted for reference by the public. Signature rosters may be inspected at any time provided there is no interference with poll operations or delay or inconvenience to the voters. (E.C. Secs. 14202 & 14223(b))
9. The American Flag must be prominently displayed (regardless of weather conditions during all polling hours. (E.C. Sec. 14105(f))
10. At the opening of the polls the ballot box must be opened, exhibited to be empty, closed and then shall remain in the polling place until the ballots are counted. (E.C. Sec. 14215)
11. If a polling place is inaccessible to a voter with a disability, the voter may vote a ballot outside the premises in an accessible area as near as possible to the polling place. (E.C. Sec. 14282(c))
12. Voters may request and receive assistance in voting if they declare under oath that they are unable to mark their ballots. (E.C. Sec. 14282(a))
13. A voting booth may not be occupied by more than one person at a time unless a person is assisting the voter as provided by law. Nothing prevents a voter from being accompanied by a child under the age of 18 years while within the voting booth area if the child is under the voter's care. (E.C. Secs. 14281, 14222 and 14224)
14. Smoking is not permitted inside the polling place.

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