



# San Mateo County Election Observer General Guidelines

## SAN MATEO COUNTY CONTACT AND VOTING SYSTEM INFORMATION – NOVEMBER 5, 2024, PRESIDENTIAL GENERAL ELECTION

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Election Management System (EMS) Vendor	EIMS by DFM Associates

## PURPOSE

The San Mateo County Registration & Elections Division welcomes all observers. Our Election Observer Program is designed to:

- Provide the public with the opportunity to observe the election process.
- Help ensure the integrity and transparency of the election process.
- Remove any mystery associated with the election process and procedures.
- Build voter confidence and encourage more people to engage in civic life.

## PARTICIPATION

To encourage public observation, many of the election processes described below under “Scope of Observable Activities” are announced in press releases. Additionally, the Registration & Elections Division is active in promoting our work on Twitter (X), using the handle @smcvote.

Observers are requested to schedule visits through our website. They may visit our website [smcacre.gov](http://smcacre.gov), click on *appointments* at the top of the page and select *San Mateo County Registration & Elections Division* to schedule a visit as an Elections Observer.

## OVERVIEW

When organizations or individuals express interest in observing election processes, the Registration & Elections Division will contact them to arrange a meeting to:

- **Provide** participants with information about the time and location of all election processes
- **Assign** a supervisor or an Elections Specialist to assist the participant in understanding each specific election process

Observers are welcome to visit all the processes at the various locations where they occur. Participants interested in visiting Vote Centers are encouraged to arrange their visit with the Registration & Elections Division to obtain a letter of introduction.

Each political party qualified to participate in an election in California, any bona fide association of citizens, or a media organization may employ and may have present at the central counting site or sites, **not more than two** representatives to check and review the preparation and operation of the tabulating devices, their programming and testing, and have the representatives in attendance at any or all phases of the election. (CA Code of Regs. §20873; EC §15004)

Election processes take place at the following sites:

- Registration & Elections Division, 40 Tower Road, San Mateo:  
Voter registration, petition processing, voting, supplemental ballot printing, voting equipment testing, central scanning and counting location for all paper ballots, Vote by Mail ballot eligibility qualification, Vote by Mail ballot processing, provisional/conditional ballot processing.
- Vote Centers and all Official Ballot Drop Boxes open 29 days before Election Day

## **SCOPE OF OBSERVABLE ACTIVITIES**

Individuals who are interested in participating in the Election Observation Program are invited to observe and ask questions about the following:

### **Prior to Election Day**

#### **Voter Registration**

- Processing of paper voter registration affidavits, including signature scanning
- Processing of electronic voter registration affidavits.
- Handling voter cancellation requests.

#### **Petitions**

- Processing of petition signatures.
- Reviewing Declaration of Circulator for completion.

#### **Security Measures and Materials**

- Viewing the card key access log for the Vote by Mail work area and the equipment warehouse.
- Viewing the access logs for the storage vaults for ballots and security seals
- Viewing the Tally Room where votes are tallied on Election Night.
- Two-Person-Integrity procedures.

By law, all voting equipment must be verified for 100% accuracy before it can be used in each election. Related processes are below:

#### **Ballot and Equipment Preparation**

- Ballot creation in Dominion's Election Event Designer (EED)
- Logic and Accuracy Testing (L&A) of voting equipment, including:
  - Marking and printing ballots on a ballot marking device, the ImageCast X (ICX)
  - Printing paper ballots via the Mobile Ballot Printing (MBP) System
  - Scanning and resolving voted paper ballots on the ImageCast Central (ICC) scanners
- Vote Center supply assembly and distribution

### **Functional Testing of the ICX Ballot Marking Tablets**

This process ensures the proper operation of every screen, button, connector and other hardware component of the voting machines. Observers may view the testing of:

- ICX ballot marking device, including the Audio Tactile Interface (ATI) which connects with assistive devices.

### **Functional Testing and Configuration of Mobile Ballot Printers**

This process consists of loading official ballots onto the Dominion Mobile Ballot Printing System by flash drive. Observers may view the testing of:

- Functionality of full system
- Printing ballots
- Test-scanning of ballots

### **Vote Center Representative Training**

- Observe the mandatory training for all Vote Center staff.
- Review Vote Center daily operating procedures.
- Visit a Training Lab where Vote Center staff get hands-on practice with the voting equipment.

### **Vote by Mail Processing**

Beginning 29 days prior to Election Day, Election Officials can open the return Vote by Mail envelopes containing voted ballots. The ballots are only opened after Elections staff verifies each voter's qualifications and signature on the outside of the envelope. Envelope verification begins as soon as the voted ballot envelope is received by the Elections Division.

Per CA Code of Regulations §20873, "an election observer shall have the right to observe the processing of vote-by-mail identification envelopes and vote-by-mail ballots pursuant to Elections Code section 15104. Observers shall be allowed sufficiently close access to enable them to observe the vote-by-mail identification envelopes, the signatures and dates thereon, and the way vote-by-mail ballots are handled. The processing of vote-by-mail identification envelopes and vote-by-mail ballots includes, but is not limited to, the following:

- Securing vote-by-mail ballots to prevent tampering with them before, during, and after the ballots are counted.
- Verifying signatures on the vote-by-mail identification envelope, which may include the use of signature verification technology, in accordance with Section 20960.
- Identifying whether there are multiple signatures on the vote-by-mail identification envelope, and whether there is more than one ballot in the vote-by-mail identification envelope and verifying signatures accordingly pursuant to Section 20991.
- Checking the opened vote-by-mail identification envelopes to ensure that all the contents have been removed.

- Duplicating damaged or defective ballots, votes cast on a sample ballot, or ballots cast using a remote accessible vote-by-mail system in accordance with Elections Code section 15210.
- Checking postmarks on vote-by-mail identification envelopes or the time and date stamps on envelopes or packages delivered by a bona fide private mail delivery company received after Election Day, and checking postmarks on vote-by-mail ballots that are enclosed in an envelope or package delivered by a bona fide private mail delivery company.
- Checking the statewide voter registration system to confirm that the voter has not already voted, or that the conditional voter registration is proper.
- Adjudicating hand-marked ballots, which may be done with a paper ballot or a scanned ballot image, where the ballot tabulator cannot discern the voter's choice.
- Counting valid ballots.
- Making notes on rejected ballots in accordance with Elections Code section 15154.”

### **Vote Centers**

An election observer shall have the right to observe any proceedings at a Vote Center before it opens to the public, during polling hours, and after the polls close. Beginning 29 days prior to Election Day, observe voting on Ballot Marking Tablets or on paper ballots at any of our Vote Centers, which open on the following timeline:

- Three Vote Centers will be open 29 days before Election Day (E-Day)
- Six additional Vote Centers open 11 days before E-Day
- Thirty-Six additional Vote Centers open four days before E-Day
- Three Pop-up Vote Centers open one day prior to E-Day.

Vote Centers will be open on the two weekends before Election Day from 9:00 a.m. to 5:00 p.m. On Election Day, all Vote Centers will be open from 7:00 a.m. to 8:00 p.m.

A complete list of Vote Centers can be found at [smcvote.gov](http://smcvote.gov).

### **Drop Boxes**

- An election observer has the right to observe the retrieval of vote-by-mail ballots from vote-by-mail drop boxes and vote-by-mail drop off locations.

### **Election Day**

#### **At Vote Centers**

#### **Observers may:**

- Visit Vote Centers at any time Vote Center representatives are present.
- Observe the conduct of the election at any Vote Center.

### **At the Registration & Elections Division Office**

- Observers may view chat conversations and listen to our Phone Bank operators as they assist voters who call our Voter Hotline.
- Observers have the right to watch and listen to our Vote Center Help & Support (VHS) staff as they provide technical guidance by phone to our Vote Center personnel.
- Observers may observe warehouse staff during the return and processing of voting equipment and Ballot Boxes after Vote Centers close.
- Observers have the right to view vote tabulation and reporting of semi-official results.

Please note: an election observer has the right to ask questions and receive answers during the observation of an elections process or activity so long as they do not interfere with the conduct of the elections process or activity being observed. If questioning disrupts the execution of the duties of the elections official, the elections official may discontinue responding to questions from that observer. Every reasonable effort will be made to provide a response to observer questions in a timely manner.

### **After Election Day**

#### **Official Canvass**

During the Official Canvass, Election Officials will continue to process ballots and conduct a 1% manual tally to verify the accuracy of the tally. An election observer has the right to observe the activities of the semifinal official canvass, and the official canvass as defined in Elections Code sections 353.5 and 335.5, respectively.

Observers are encouraged to view the following processes:

- Verification of voter eligibility for Conditional, Provisional and Vote by Mail ballots
- Duplication of unreadable paper ballots
- Processing ballots with write-in votes
- Resolving ballots with questions about voter intent
- Ballot reconciliation and accountability
- Random selection of precincts for the One Percent Manual Tally
- One Percent Manual Tally
- Secure return of voting equipment to the warehouse
- Recounts (if applicable)

#### **Voter Requested Recount**

The California Secretary of State Regulations define the requirements and procedures for the conduct of a voter requested recount. The Regulations can be found at: [www.sos.ca.gov/administration/regulations/current-regulations/elections/recounts](http://www.sos.ca.gov/administration/regulations/current-regulations/elections/recounts).

In the case of a recount, questions concerning the specifics of the recount, other than challenges, are to be routed through the spokesperson who will then direct the question to the designated election official present. Observers and spokespersons are not to direct questions to the members of the recount boards. Resolution of questions shall include representatives of all parties of interest.

Ballots may be challenged for incompleteness, ambiguity, or other defects. To challenge a ballot the following procedure shall be used:

- The person challenging shall state the reason for the challenge.
- The recount board shall count the ballot as it deems proper, write a unique identifier number on the ballot and set it aside with a notation as to how it was counted, why it was challenged and by whom.

## **OBSERVER RESPONSIBILITIES**

Observers are responsible for:

- **Checking** in at each location they wish to observe
- **Wearing** a badge at all times identifying themselves as an observer.
- **Maintaining** a professional manner.
- **Ensuring** that they do not disrupt or interfere with the election process or activity.
- **Following** established county observation rules and policies

## **OBSERVER RIGHTS**

Observers may:

- **Observe** the proceedings at Vote Centers, including opening and closing procedures
- **Obtain** information from the index of voters maintained in electronic format
- **Take** notes on any 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, Provisional and Conditional ballot processing
- **Ask** Vote Center Lead questions about Vote Center representatives or voters at Vote Centers (provided that questions do not interfere with any part of the voting process)
- **Ask** supervisors questions at the central counting site at 40 Tower Road (provided that questions do not interfere with the conduct of the election procedures)
- **Conduct** exit polling provided it is conducted 25 feet away from the entrance or exit to the Vote Center

## **OBSERVER LIMITATIONS**

Observers shall not:

- Interfere in the judgment of an election official or the conduct of the election
- Physically handle any voting materials or equipment
- Directly question the staff performing their work unless the designated observer ambassador is not present.
- Communicate with voters by encouraging them to vote for or against a person or measure, or regarding the voter's qualifications to vote within 100 feet of the entrance to the Vote Center, a Ballot Dropbox or the central counting site
- Display any election material or wear campaign badges, buttons or apparel

- Directly challenge a voter's right to vote – only a member of a precinct board may challenge a voter, based on evidence presented
- Wear the uniform of a peace officer, private guard or security personnel
- Carry a firearm
- Bring items such as purses, packs or backpacks into the Vote Center or central counting site
- Sit at the official worktables or view confidential voter information on any work terminal. Seating will not be provided to observers. Any requests for accessibility exceptions must be received in writing prior to the visit.
- Move or rearrange any furniture in a Vote Center or the central counting facility
- Talk to or attempt to stop the central counting site workers while they are processing ballots
- Use personal phones or computers inside voting rooms or in the central counting work area
- Use blue or black ink pens anywhere voted ballots are present
- Make physical contact with election personnel
- Eat or drink in a Vote Center or the central counting work area
- Assist in operations at any Vote Center or the central counting site
- Prevent any other observers from viewing materials or an election process
- Enter secure areas without the explicit permission of an Elections Official
- Attempt to intimidate a voter

## ELECTIONS OFFICIAL RESPONSIBILITIES

Elections Officials shall:

- **Establish** security rules for public observations. Examples include the use of sign-in sheets, identification badges and escorts
- **Maintain** the integrity of the administration of the election
- **Determine** observer misconduct or interference, and ask an observer who does not follow observation rules to leave the premises
- **Restrict** the number of observers permitted in a room to prevent interference with the administration of the election
- **Use** discretion in determining a sufficiently close distance for observers to stand from the process they wish to observe
- **Require** observers to be quiet inside the observation area
- **Use** discretion to determine how and to whom observers may pose questions and challenges during the observation process. Examples include written or verbal, or end-of-day review
- **Prohibit** the use of cell phones, cameras, audio or video equipment or electronic devices
- **Provide** notice to the public of dates, times and locations of election-related activities that may be observed by the public as required by law. For example, election officials are required to provide notice for Vote by Mail ballot processing (48 hours) and the post-election one percent manual tally (five days)

## **ELECTIONS OFFICIAL LIMITATIONS**

Election Officials may not delay or interrupt scheduled operations and processes due to the presence of an observer.

### **Check-in and Arrange Escort**

Observers must sign in at reception and receive an observer badge. The badge must always be worn while in the election's facility. All observers will be escorted by at least one designated staff member.

### **Observer Interference**

Observer activity is limited to witnessing whether proper procedures are followed. Observers may not interfere with the observed process. Touching of election-related materials, equipment or elections staff is not permitted.

Observers may approach sufficiently close to the observed process to determine reasonably whether a challenge of the process is warranted, a distance determined at the discretion of the elections official.. Observers may ask questions of their designated escort, but should not directly question the staff performing their work.

The number of observers and the location of the viewing area may be restricted if the elections official determines it interferes with the observed process.

### **Noise Disturbance**

Observers may talk briefly and quietly with their escort, but other, more in-depth discussions should be moved outside the observation area. Once the observed process has begun, disruptive conversation or comments are prohibited. Cell phones must be set to silent or turned off. No phone calls are allowed, except in the lobby or outside the building.

### **Posing Questions and Challenges**

Before and during the observed process, observers may quietly ask questions of the escort, but should not directly communicate with any staff member who is engaged in the observed process. In many cases the escort will be unable to answer the question at the time it is asked, so written questions and comments may be submitted to the Elections Supervisor throughout each process. All challenges must be logged in the manner provided by law. If a challenge unduly impedes or interferes with the work process, challenges shall be discontinued.

### **Limited Use of Electronic Equipment in Work Areas**

Photographs or videos of a process are permitted with prior written permission only. No photos or videos may be taken of staff members without the consent of the individual. If permitted, the escort will ask for consent on behalf of an observer. No photos or videos may be taken of confidential voter information, including but not limited to voter signatures. No audio recorders are allowed.

### **Special Rules for the Ballot Canvass Work Area**

Observers may enter the ballot canvass area only during canvass operations and only in the presence of an escort. Inside the ballot canvass work area, no phone



conversation is allowed. Observers may get close enough to observe the information on the workstation, including the computer screen, if it does not interfere with the worker. All questions about content or procedures must be submitted in writing.

### **IMPORTANT REMINDER**

**REQUESTS FOR SEATING ACCOMODATIONS  
DURING OBSERVATION MUST BE MADE IN WRITING  
IN ADVANCE OF THE VISIT.**

Seating is only offered with an approved, written accessibility request.