Election Observer Panel Plan
February 5, 2008 Election

I. County and System Information

1. Name of County: **Santa Clara County**
2. Name of Contact: **Elaine Larson, Assistant Registrar of Voters**
3. Contact's Phone: **(408) 282-3003**
4. Vendor and Voting Systems Used by County:
   Sequoia Voting Systems:
   DRE AVC Edge II and Optech 400-C Optical Scan
5. Date: **DRE AVC Edge II: January 7 – 18, 2008**
   Optech 400-C Optical Scan – January 24, 2008

II. Purpose

The purpose of an Election Observer Panel is to:

1. Provide an avenue for public observation 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

Santa Clara County sends a letter of invitation to different members of the community including the Political Party Central Committee, the League of Women Voters, the Santa Clara County Voting Rights Advisory Committee, the Grand Jury and individuals to observe any of the election processes. For the February 5, 2008 Election, the letters were sent on December 7, 2007. Per request we meet with individuals and groups.

Attached is an example of the invitation letter (Attachment A).

Voting Machine Preparation (Pre-Lat): Members are invited to observe the voting systems logic and accuracy testing where the Registrar of Voters ensures the Direct Recording Electronics (DRE's) and the 400-C Absentee Optical Scan Systems have been properly programmed and tested for the upcoming election.

Invited members are provided the dates of testing and asked to contact the ROV representative to confirm their attendance. This Board verifies the logic and accuracy of the test ballots pursuant to Elections Code Section 19205 and completes a "Certification by Logic and Accuracy Board" form with their signature and date verifying the accuracy of the testing.

Attached is an example of the "Certification by Logic and Accuracy Board" Form (Attachment B).

Canvass: Members are invited to view all aspects of the Canvass process, which includes the ability to ask questions of a Manager overseeing the task and to take notes of the process. The Registrar of Voters provides written observer guidelines; issues observer identification badges and escorts the observers during their visit in the office. The observers are provided specific guidelines of how they may not interfere, interrupt or delay the conduct of the Canvass.

Attached is an example of the Election Observer Guidelines (Attachment C).

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IV. Appointment Letters (for introduction to precinct workers)
Santa Clara County trains all election officers that any member of a Political Central Committee, community organizations, the media, and the general public are welcomed to visit a polling place to observe the election process. Therefore, we do not customarily provide a specific letter to the precinct inspectors.

Election officers have been trained to cooperate with any reasonable request from observers as long as it does not impede with the processing of the voter. An observer may view the events at the polls including the opening and closing process, taking information from the precinct indices that are posted near the entrance, and seeing the copy of the Precinct Index being updated at the worktable (if the Election Officers are not using it and no voters are waiting to vote).

The election officers post a "Attention Poll Watchers poster" near the entrance of the polling place that serves as a guideline to observers while at the polling place. Instructions are also in the Election Officer Manual and the "What To Do if" reference tool.

Attached is an example of the "Attention Poll Watchers" Poster (Attachment D)

V. Mechanism for Feedback
Santa Clara County continually seeks feedback. We often receive reports back from various organizations regarding their observations and welcome feedback.

Attachments:
A. Observer Invitation
B. Certificate by Logic & Accuracy Board
C. Election Observer Guidelines
D. "Attention Poll Watchers" Poster

County of Santa Clara
Registrar of Voters

1555 Berger Drive, Building 2
San Jose, California 95112
Mailing Address: P.O. Box 1147, San Jose, CA 95108
(408) 299-VOTE (8683) (866) 430-VOTE (8683) FAX (408) 998-7314
www.sccvote.org

December 6, 2007

Name
Address
City, State, Zip

Dear:

You or your representative is invited to observe in February 5, 2008 Election, at the Registrar of Voters, (ROV), 1555 Berger Drive, Building #2, San Jose, CA 95112. The following list provides the various election activities from which you may choose to observe. If you wish to observe a process, call Katy Kay (408) 282-3006 to confirm the actual date and time.

DRE Touch Screen Voting Machine Preparation and Testing

This is the loading of election data and comprehensive election logic and accuracy testing that ensures that each machine is securely programmed and prepared properly. Testing is comprised of nineteen (19) major sequential steps to ensure the integrity of the vote counting on Election Day. Testing will occur approximately January 7 through January 18, 2008, 8:30 AM to 4:00 PM. However, the testing schedule is subject to change. Call Katy Kay 3-5 days ahead of the date you wish to observe to confirm the actual Testing Schedule, (408) 282-3006, and to reserve a space if you would like to observe.

Optical Scan Pre-LAT (Logic and Accuracy Testing)

The optical scan system is tested prior to each election by using a pre-marked set of test ballots. Ballots test the computer system's ability to prevent over votes and account for under and invalid votes. The preparation of the ballot test deck and testing of the tabulation equipment usually takes 3 to 5 days and begins on approximately January 23, 2008, at 11:00 A.M. However, the testing schedule is subject to change. Call Katy Kay 3-5 days ahead of the date you wish to observe to confirm the actual Testing Schedule, (408) 282-3006, and to reserve a space if you would like to observe.

Returned Vote by Mail Ballot Processing

The ROV will begin to open and prepare for counting, returned Vote by Mail Ballot Envelopes on Friday, January 25, 2008, in accordance with California Elections Code. All ballots received by 8:00 p.m. in our office, from the post office, and from all polling places will be counted as soon as possible.

ATTACHMENT A

Election Night Ballot Receipt and Counting

The first ballots counted are the Vote by Mail Ballots at 8:00 p.m. The polls close at 8:00 p.m and the ROV must then wait for the receiving of ballots from all polling places. DRE cartridges and optical scan ballots are delivered to the Return Centers and then are shuttled to the ROV for receipt and counting. The ROV also pick-ups mailed ballots at the post office at 8:00 p.m. Election Night. To observe this process, you should arrive at the Registrar of Voters office between 7:00 – 10:00 p.m. on Election Night.

Elections results will be uploaded throughout the night to our website at www.sccvote.org. At the end of the night, the Semi-Official Election Results will be generated.

Post-Election Logic and Accuracy Testing and Official Canvass

Per California Election Code, the election canvass must start the Thursday after the election. Although February 7th is the first official start of the the election canvass, our county prefers to begin this process one day earlier, on Wednesday, February 6, 2008. The canvass process is open to the public and continues for at least 6 hours a day until completed. After completing this process, the election results are then certified by the Registrar of Voters and made public.

The canvass includes the inspection of all materials and supplies returned by the Election Officers, reconciling the number of signatures on Roster Indexes with the number of ballots recorded on the Official Ballot Statement to the votes actually tallied; processing and counting valid vote by mail and provisional ballots; counting valid write-in votes; and the 1% manual recount.

Observers are always welcome. If you wish to observe any or all of the processes, please contact Katy Kay, at (408) 282-3006 or by e-mail: katy.kay@rov.sccgov.org.

Sincerely,

Elaine Larson, Assistant Registrar of Voters
Attachment: Observer Instructions

ATTACHMENT A

CERTIFICATION BY LOGIC AND ACCURACY BOARD

STATE OF CALIFORNIA)
) ss.
County of Santa Clara)

We, the undersigned members of the Logic and Accuracy Board for the Service Center Counting location (1555 Berger Drive, Building 2, San Jose, CA 95112) having been duly appointed by Jesse Durazo, Registrar of Voters of the County of Santa Clara, for the February 5, 2008 Presidential Primary Election, to verify the logic and accuracy test ballots as required by the procedures for the use of the "Sequoia Optical Scan Voting System", adopted pursuant to Elections Code Section 19205, do hereby certify through the Registrar of Voters to the Secretary of State:

THAT the pre-vote counting tests, as defined in the above mentioned procedures, have been performed;

THAT the test results have been compared with predetermined correct totals for each office and ballot measure;

THAT the cause of any discrepancy was found and corrected; and

THAT the logic and accuracy test program, the logic and accuracy test ballot cards, and the logic and accuracy test printed output which were certified as correct by the Logic and Accuracy Board were delivered into the custody of the Registrar of Voters.

We declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

_____ _____
Signature Date

_____
Printed Name

_____ _____
Signature Date

_____
Printed Name

_____ _____
Signature Date

_____
Printed Name

_____ _____
Signature Date

_____
Printed Name

ATTACHMENT B

ELECTION OBSERVER INSTRUCTIONS:

Please read and follow these Election Observer Instructions. Violation of these instructions may result in an Observer being asked to leave the work area for the remainder of the day.

The California Election Code provides for the public, candidates, committees and parties to observe ballot counting and Absentee and Provisional Ballot verification (California Elections Code Sections: 19320 (Machine Preparation) 15104, 15204 and 15350). Additionally, the public is always welcome to observe our operation throughout the year in addition to the above election-specific processes, provided that:

- Observers cannot disrupt the working environment of the Registrar of Voter's staff
  - Keep all conversations to a minimum, at the lowest possible tone.
  - Keep at arms length from the staff at all times and never touch a staff member.
  - Observers may not speak directly to staff., except to a staff member authorized to escort observers. All questions and concerns must be addressed to the division manager or his/her designee, or the Assistant Registrar of Voters.
- We restrict the number of observers only if an election operation would be interrupted because there were too many observers. For that reason, we ask that observers schedule an appointment ahead of time, to avoid having to wait for those with appointments to complete their observation, or to schedule an appointment for a later date or time.
- Observers must sign in and out with the department, daily, and wear department badges for security purposes, turning them in each day before leaving the ROV.
- Radios, cameras, tape recorders or recording devises of any type are not allowed.
- Observers may not use cell phones inside the department. Please set the ring on silent or turn off the phone. Department phones are not for public use.
- The Office of the Registrar of Voters is strictly non-partisan. Please avoid partisan comments and discussions while in the department.
- Observers cannot touch any paper ballot or electronic ballot (cartridge) .
- Observers cannot enter restricted areas unless accompanied by an election official, with appropriate security level.

ATTACHMENT C