

ELECTION DAY - POLL WATCHING GUIDELINES

The election process is a public affair and anyone who wishes may observe. However, the vote of the individual citizen is secret, and no one may interfere with a voter's right to cast a secret ballot. Members of the precinct boards are sworn election officials of the County of Orange and have complete responsibility for conducting all phases of the election in their precinct. Certain standards are expected of observers:

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 16 months or two or three years. **§ 18502**

- The election must be orderly. Do not talk in a loud voice, cause confusion, or congregate inside the polls. Do not ask to use the telephone or other facilities.

Only voters engaged in receiving, preparing, or depositing their ballots and persons authorized by the precinct board to keep order and enforce the law may be permitted to be within the voting booth area before the closing of the polls. **§ 14221**

- (a) Only members of the precinct board, and persons while signing their names on the roster, shall be permitted, during the hours within which voting is in progress, to sit at the desk or table used by the precinct board.
(b) Any person may inspect the roster while voting is in progress and while votes are being counted. However, this shall not be done at a time or in a manner which will impede, interfere, or interrupt the normal process of voting. **§ 14223**

- No person on Election Day, or at any time that a voter may be casting a ballot, shall, within 100 feet of a vote center or an elections official's office:

- (a) Circulate an initiative, referendum, recall, or nomination petition or any other Petition;
- (b) Solicit a vote or speak to a voter on the subject of marking his or her ballot;
- (c) Place a sign relating to voters' qualifications or speak to a voter on the subject of his or her qualifications except as provided in Section 14240; and
- (d) Do any electioneering. Electioneering is defined as the visible display or audible dissemination of information that advocates for or against any candidate or measure on the ballot.

"Vote Center 100 Foot" signs are posted outside vote centers, indicating the 100 foot boundary for electioneering. As used in this section, **"100 feet of a vote center or an elections official's office" means a distance 100 feet from the room or rooms in which voters are signing the roster and casting ballots.**

Any person who violates any of the provisions of this section is guilty of a misdemeanor. **§ 18370**

- (a) Any person in possession of a firearm or any uniformed peace officer, private guard, or security personnel or any person who is wearing a uniform of a peace officer, guard, or security personnel, who is stationed in the immediate vicinity of, or posted at, a vote center without written authorization of the appropriate city or county elections official is punishable by a fine not exceeding ten thousand dollars (\$10,000), by imprisonment in

the state prison for 16 months or two or three years or in a county jail not exceeding one year, or by both the fine and imprisonment.

(b) This section shall not apply to any of the following:

- (1) An unarmed uniformed guard or security personnel who is at the polling place to cast his/her vote;
- (2) A peace officer who is conducting official business in the course of his/her public employment or who is at the vote center to cast his/her vote;
- (3) A private guard or security personnel hired or arranged for by a city or county elections official; and
- (4) A private guard or security personnel hired or arranged for by the owner or manager of the facility or property in which the vote center is located if the guard or security personnel is not hired or arranged solely for the day on which an election is held.

§ 18544

- The Precinct Board will attempt to respond to any reasonable, lawful requests from observers. The Registrar of Voters' office has instructed Precinct Officers to ask unruly poll watchers to leave, and to ask for assistance from the local law enforcement agency, if necessary.