

Election Observer Panel Plan Template

I. County and System Information

1. Name of County **Mariposa County**
 2. Name of Contact: **Keith Williams**
 3. Contact's Phone **209-966-2007**
 4. Vendor and Voting Systems Used by County **Sequoia Voting System
– Edge II DRE's and Optech Eagles for Central Counting and Vote-by
Mail Ballots**
- Date **May 1, 2010**

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. (See samples attached.)

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 General Election, which will be held on November 4, 2008. 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 the Mariposa County Elections Office, P.O. Box 247, Mariposa, CA 95338 by mail, by phone at 209-966-2007 or by email at cprogner@mariposacounty.org. Please respond by October 20, 2008, with the name of your representative. Keith Williams 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,

Keith M. Williams
Registrar of Voters/County Clerk
Mariposa County

SAMPLE LETTER OF INTRODUCTION

Date (no later than E-5)

TO: Precinct Inspectors

FROM: Keith M. Williams
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 209-966-2007.

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

Sincerely,

Keith M. Williams
Registrar of Voters/County Clerk
Mariposa County

Election Day Communication Plan Template

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II. Communication Plan

1. In the event of a natural disaster, terrorist attack, electricity blackout, or systemic equipment failure, what procedures are in place to ensure quick and immediate communication with poll workers?

We have all polling place phone numbers, and at least one board member's cell phone for contact. All of our Roving Inspectors have cell phones and are in the field.

2. Do you have a bank of phones solely designated for poll workers to call and ask questions?

We use the 2 County Clerk/Election lines and in addition 3 other lines available in the office that are designated solely for poll workers to call and ask questions on Election Day. These phones are staffed from open of polls to the final reporting on Election night.

3. What is the percentage of polling places that have public telephone access?

0%

4. Are the phones close enough for poll workers to use to contact the county elections office, if necessary?

N/A

5. Are poll workers in those locations provided information on calling collect, or are they provided adequate change or a calling card to pay for the phone calls?

N/A

6. What about locations without convenient pay phones?
We provide telephones and the ability to make calls at all polling places.
7. Do you record the cell phone and/or pager numbers of poll workers? If so, do you inform them to keep them turned on in case they need to be contacted?
Yes
8. Do you provide a convenient sheet with contact information to poll workers?
Yes
9. If no poll worker at a polling place has a cell phone or pager, do you issue one to the precinct captain?
No. In an Emergency if regular phone service was not working, we would dispatch an area rover or Sheriff to the polling place site.
10. How extensive is your system of troubleshooters or rovers on Election Day?
We use 4-5 rovers that are assigned to 3-4 polling places each by proximity and depending on the area.
11. What is the ratio of troubleshooters/rovers to polling places?
One rover per every 3-4 polling places.
12. How often are they supposed to check in with each assigned polling place?
On a rotating basis at least three times on the Election day and at the close of polls or as needed on demand.
13. How often are they supposed to check in with the county elections office?
14. Roving Inspectors call in and report on each location first thing on Election morning and again before they leave for lunch break and again in the evening.
15. If a systemic problem with equipment were to occur, how would poll workers be notified about the way to handle the problem?
The polls would be contacted using the methods described above.

Physical Security Plan Template

Physical security addresses how secure voting equipment, ballots, and the tabulation process are from external factors such as tampering, environmental degradation (such as from jostling, heat, water damage, etc.), unauthorized access, etc.

What follows is a template that local election officials may use to provide this required information to the Secretary of State.

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II. Explanation of County Physical Security

A. Pre-Election

1. What procedures do you have in place to assure the physical security of voting machines and paper ballots prior to an election?
Electronic Voting Machines – After firmware is verified and security seals are placed according to the conditional use procedures and returned to the secured storage facility. Each piece of equipment has a serial number and we maintain inventory records that include chain of custody for each device and memory card.
Paper Ballots – Upon receipt they are inventoried and the Vote By Mail ballots are stored in locked cabinets and the Poll ballots are stored in the vault until released to the poll workers.

2. How and where are equipment and ballots stored, and how is the facility secured against theft, tampering and vandalism?

Precinct DRE Edges are housed in a locked storage facility in a secure building. Once loaded with the election data, the cartridges are sealed in the equipment with numbered tamper evident seals, seal numbers are recorded and tracked.

Three Insight Optical Scan Ballot readers are kept in a secure room until absentee processing and election night processing.

Precinct ballots arrive in sealed containers which are kept in our vault until picked up by our Poll workers at training. Vote by Mail ballots received from the printer are verified against the quantity ordered and checked in on the day they are received from the printer. Vote by Mail ballots are stored in locked security cabinets within the locked election office. Inventory of ballots is tightly controlled and an office clerk must log out any ballots removed from the storage cabinets and a second person signs off on the Pull sheet verifying the correct number of ballots were pulled.

3. What protections are in place to assure access is permitted only for authorized personnel?

There is a security chain with a sign stating *Election Officials Only* between the public lobby and the office work area. There is a dead bolt lock on the door of the Election's office and only authorized Election personnel have access to the keys. All critical election items are locked up in the vault each night.

4. When software upgrades are installed, what effort is taken to assure that the upgrades are state certified?

We will only load software certified from the SOS or ITA. The SOS must also approve any other utility software that is loaded

5. Who installs the upgrades, a county employee or a vendor employee?

A county employee loads all upgrades. A vendor employee may assist but the county employee must perform the actual work.

6. Do vendor employees ever handle any voting equipment?

Vendor employees handle voting equipment when assisting in testing or when troubleshooting / servicing equipment under the supervision of an Election clerk. Elections clerks have been trained to handle repairs and other reinstallations of software and hardware. Vendor employees never handle equipment during an election.

7. If vendor employees are allowed to handle voting equipment pre-election, must county employees be present?

A county employee is present at all times whenever vendor employees are allowed to handle voting equipment.

B. Poll workers and the Transportation of Equipment

1. Do you require poll workers to complete a detailed application form?
Poll workers apply and are recruited by a variety of methods. A detailed application form is not requested.
2. Do you conduct any type of background check on poll workers? If so, what type of check and who performs it?
Staff verifies that each poll worker volunteer is a registered voter, or that they meet the requirements of our student poll worker program.
Background checks are not conducted. This is a very small county and most of the poll workers are known personally by the Election personnel.
3. Are voting equipment and/or ballots transported to polling places by county employees? How are voting equipment and/or ballots transported to the polling places?
Equipment delivery is handled with a combination of county employees and poll workers. Poll workers transport equipment only in limited circumstances to the 5 polling places located in the outlying areas of the county. Ballots are transported by the poll workers
4. When are voting equipment and/or ballots transported to the polling place?
The day prior to election day the voting equipment is delivered by county employees. The poll workers transport the equipment to out lying areas and ballots to the polling places, in their private automobiles, generally the Thursday prior to Election day.
5. If poll workers transport voting equipment and/or ballots, when do they receive the equipment/ballots? If significantly in advance of the election, how and where were they stored until the election?
Poll workers will pick up the ballots and in some cases the equipment, the Thursday prior to Election day. They are instructed to store equipment in a secure location in their homes. The sealed vote tabulation equipment and ballots are stored in the homes of the poll workers. Poll workers are instructed to not attempt to turn on the equipment before 7:00 am on Election morning. Result Cartridges are sealed in the equipment with tamper evident numbered seals over the cartridge door. The seal numbers are recorded and tracked by the Election office. Roving inspectors verify that the same numbered seal is still on the equipment on election morning. Official ballots are sealed in a box until opened at the polls on election morning. Poll workers will be deputized during training class; they will also sign an oath on election morning before the Inspector, prior to entering their duties.

6. Does your county keep detailed logs of who takes custody of which equipment/ballots, and their contact information?

Mariposa County keeps detailed logs of who takes custody of the equipment and ballots for each precinct, along with their contact information. Poll workers sign a receipt when picking up their equipment within the 2 person rule, including serial numbers to identify what polling place or poll worker is responsible for exactly what equipment.

7. How are voting equipment and/or ballots secured from tampering from the time they leave county custody to the time they are delivered to the polling places?

The voting equipment is secured with a serialized tamper evident seal on the results cartridge port and the poll workers are instructed to validate with two election officers at the polls that this seal is intact before opening polls. If the equipment is turned on an internal clock will log the date and time of access and any activity. If the polls are opened, on the tabulation device prior to the correct time and then closed, the polls cannot be re-opened again later. Official ballots are delivered in sealed boxes not to be opened prior to Election Day. Each ballot is serial numbered on the stubs; the numbers are also recorded in our office. All the ballots numbers are balanced and accounted for by the poll workers at the end of the night on Election day and then the Election officials also balance and account for all the ballots in the canvass process.

8. Are serialized or other secure tamper-proof devices/seals placed on all ports where memory cards are inserted (as specified in the procedures adopted for use of voting equipment in California)?

Yes, Mariposa County follows all the instructions that are in the procedures manual from the vendor

9. How are your poll workers, as part of their training, trained to be alert for signs of pre-election tampering?

Our poll workers are advised in the training class and in the poll worker binder (delivered in their precinct supplies), to verify the serial numbers on the ballots and to check that the seal has not been broken on the port to the results cartridge. They are also advised to verify on the first tape that is printed from the voting equipment has a zero balance at the start of the day and the correct precinct number is printed. An internal log will record when the polls were opened on each vote tabulation device and any other events, like a power outage.

10. How are your poll workers, as part of their training, trained to be alert for the type of activity indicating someone is potentially tampering with a DRE or with any access card or access code on Election Day?

The poll workers are advised in their training class to set up the voting equipment at a diagonal to the check-in desk so they are able to view as much of the DRE as possible. The device should be close to the poll workers so they can monitor the security of the equipment, but still far enough away to assure voter privacy. The results cartridge is sealed in the precinct tabulation device and the access door has a tamper evident seal.

11. How are your county's poll workers trained how to respond if tampering is suspected or discovered?

The poll workers are instructed to alert the Rover for the polling place, to call the Elections office immediately and to remove suspected device from service.

12. Do poll workers log instances of suspected tampering? If so, where is this logged? How does the county respond to these reports?

There is a log in the poll worker binder in each precinct supply box. The poll workers are advised to write notes when anything out of the ordinary happens, including suspected tampering of equipment and/or ballots. The Rover and an Elections officer would verify any findings. We read all information in the books during canvass and respond as needed. These notes are kept according to retention of final paper work for any election.

13. Do poll workers log instances of any anomaly with the voting system? If so, where is this logged? How does the county respond to these reports?

There is a log in all poll worker binders for notes and comments on the Election Day which is read during canvass; however they are also instructed to notify the Elections office staff of any unusual circumstance. Any suspected tampering would be reported to the District Attorney and/or the Secretary of State Fraud Unit.

14. How are your county's poll workers trained should a piece of equipment not be usable because of a security requirement (i.e. wrong password)?

Poll workers are to remove the equipment out of service and call the elections office. An elections clerk or field rover would respond with a new piece of equipment. If backup equipment is available they can put the device into operation. They are instructed to continue to process voters while waiting for assistance to arrive.

C. Election Day

1. If your county uses a DRE system which utilizes a “Smart Card” to activate voting, are poll workers trained to only issue a card to a voter once a voting station is available?
Yes, Poll workers are instructed to have voters sign the roster and wait for an activated card to vote on the DRE.
2. Are poll workers trained to ensure that if lines of voters form at the polling place, which the line forms at the registration table and not at the voting stations?
Yes.
3. Do county “troubleshooters,” “rovers” or other election deputies circulating to polling places on Election Day survey each polling site for any evidence of tampering or attempted intrusion into voting equipment?
They are instructed to monitor the polling place for flow of voters and check with the poll workers for any problems with equipment or processing. They would only check equipment if alerted by the poll worker of a problem. One of their responsibilities is to verify that there is no evidence of tampering of the election equipment.

D. Post-Election

1. During transportation of election materials to the central count or remote count locations, are all paper ballots and electronic election media in the possession of at least two election officials/poll workers?
Yes, two poll workers transport the election materials including the voted paper ballots sealed in a voted ballot container and the electronic results cartridge sealed in a security bag with a numbered seal, to the Government Center central count location after the polls have closed. Election office staff check for specific items and sign off on a receipt for the equipment. Two of the Poll workers transport the precinct material and other items to the Government Center for check in. In some cases, items are returned by a Deputy Sheriff.

2. How does your office ensure the protection of the election tabulation process by securing the premises where the vote tabulation is being conducted and not allowing unauthorized and unescorted personnel to be in contact with tabulation equipment?

The election results are collected and processed in a secured, limited access area. Unauthorized personnel and unescorted personnel are not allowed within the secured area. Activities in the limited access area can be observed from the public lobby. Sheriff Deputies are on hand should any issues arise.

3. What physical security measures have you implemented for the room containing the computer running the tabulation software?

The ballot tabulation software and the workstations are located in the elections office. Access to these areas are limited during election time.

4. Are printed results tapes and a backup copy of the tabulation placed in locked storage in a secure location after tabulation?

As Treasurer for Mariposa County we use the vault in our office to store election data. A back up copy of the files is made and secured in a separate location before leaving on Election night.

5. If so, how long do they remain there?

The result tapes and backup copy of the tabulation database are stored in the vault and used throughout the canvass process. A complete copy of the final certified results and system logs are archived when the election is certified.

6. On Election night, during or following tabulation, are all of the event logs, ballot images and summary totals from each cartridge used in the election backed up to the tabulation database?

Yes, throughout election night after each set of reports are sent to the Secretary of State. Results are also provided to public during the night.

7. Are audit logs of every action and operation on any voting equipment or software maintained and retained until the period for contesting the election has expired?

Yes, there is a specific schedule of retention that is followed all logs are kept with final election paperwork.

8. How do you ensure that the server is physically secure from tampering?

The server running the ballot tabulation software and the workstations with access to that server are housed in locked secured areas.

E. Other

1. Has your office ever utilized a third party to evaluate the physical security of your facility, the procedures utilized to secure equipment and ballots before, during and after an election, or the training of poll workers or staff regarding these breaches of physical security? If so, when and by whom?

No.

2. Is there any other information you can provide regarding the physical security of your ballots, voting equipment, server, and facilities?

All ballots are accounted for and in a sealed tamper evident containers before they are sent to the polling place, the amount is confirmed prior to opening the polls and all voted ballots, whether on DRE or paper are logged and accounted for at the close of polls on Election night on a balance sheet.

3. Is there any other information you can provide regarding the training of your poll workers and election staff on physical security of ballots and equipment?

All election workers including, poll workers and Inspectors declare their responsibilities to the State of California and County of Mariposa. All are made aware of the election tampering law which is posted on equipment and are instructed to abide by state law and election code regarding the security of every vote.

4. What type of tamper-proof seals do you use? On what parts of the voting system are these seals used?

Numbered plastic seals, numbered sticker seals, tamper evident tape and security bags are used. All locking compartments are secured. Also tamper evident tape is used on all computer chips and access points. Each numbered seal is inventoried to keep track of any tampering or changes in device.