

SHENANDOAH COUNTY ELECTORAL BOARD

Policy on Neutral Observers Admitted to Polling Places Of

Shenandoah County Virginia

The Shenandoah County Electoral Board in response to an Official Guidance from the Virginia Department of Elections has adopted a policy for Neutral Observers in any Shenandoah County Polling Place. A Neutral Observer will only be admitted to a polling place with an authorizing letter signed by the General Registrar or a member of the Electoral Board of Shenandoah County. The Neutral Observer has the same rights and responsibilities as an Authorized Representative of a party or candidate.

The Electoral Board requires that a Neutral Observer:

- Be a qualified voter in Shenandoah County and present a photo ID valid for voting in the Commonwealth of Virginia.
- Not be a candidate on the ballot
- Read Section IV of the Dos and Don'ts for Campaigners and Authorized Representative and sign the following statement.

I have read Section IV of the Dos and Don'ts for Campaigner (attached) understand that it is based on § 24.2-604 of the 2016 edition of the Virginia Election Laws. I understand my role as a Neutral Observer and recognize that **“the officers of election have the authority to remove any person interfering with the voting process, and have broad discretion to manage affairs with in the polling place.”** Virginia Election Laws §§ 24.2-604, 24.2.607.

Print Name: _____

Observer Signature: _____ Date: _____

Signature of Election Official: _____ Date: _____

Position of Authorizing Official: _____

A Signed Copy of This Form is the LETTER OF AUTHORIZATION FOR THE NEUTRAL OBSERVER that MUST be given to the Chief of Election at the Polling Place(s) that will be collected and placed into file. If the Neutral Observer desires to observe multiple polling places on Election Day a copy of this letter will be collected at each polling place for file. The original signed copy will be placed into the Election Day file by the County Registrar.

The Chief of Election at a polling place may admit a Neutral Observer to the polling place if the individual has a Letter of Authorization from the Shenandoah County Electoral Board or the General Registrar. The letter will be provided to individuals who meet the above qualifications, including signing the required form. At their discretion the chief may admit a second person. No more than two Neutral Observers may be in a polling place at any one time. Neutral Observers are admitted for a two-hour period. If no other qualified Neutral Observers are waiting to be admitted, the observers may remain in the polling place beyond two hours, until another qualified Neutral Observer requests to be admitted.

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★ VIRGINIA ★
DEPARTMENT *of* ELECTIONS

Dos and Don'ts for Campaigners and Authorized Representatives

SECTION IV

IV. AUTHORIZED REPRESENTATIVES WHILE POLLS ARE OPEN (§ 24.2-604)

1. The primary concept with regard to authorized representatives is that they cannot "otherwise impede the orderly conduct of the election." The officers of election have the authority to remove any person interfering with the voting process, and have broad discretion to manage affairs within the polling place. §§ 24.2-604, 24.2-607.
2. Quantity and Qualifications for Authorized Representatives:
 - a. The officers of election, at their discretion, may allow a maximum of three authorized representatives from each political party with a nominee on the ballot in that election and three from each independent or primary candidate on the ballot in that election when the pollbook has less than three divisions/stations.
 - b. When the pollbook is divided (or there are multiple electronic pollbook stations), one representative from each party and one from each independent/primary candidate must be allowed for each pollbook division/station.
 - c. A representative must be a qualified Virginia voter.
 - d. The representative cannot be the candidate.¹
3. Representatives may stay all day or they may come and go in shifts as determined by the party or independent/primary candidate.
4. The representative cannot sit at the registration table with the officers of election. The representative must be allowed to be close enough to the voter check-in table to hear and see what is occurring; however, not close enough to the officer to disrupt his or her duties including those of processing voters. The representative has a right to immediately appeal to the local electoral board if he

is unable to observe the process. Subject to the restrictions below regarding secrecy of the

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ballot and the officer of election's right to ensure the orderly conduct of the election, the representative cannot be directed to only stand in one specific area. However, if the placement of a representative may hinder or delay a voter, the officer of election may require the authorized representative to move from that area.

5. All voters should check in at the check -in table with the pollbooks allowing the authorized representatives to see and hear the process. The separate table or privacy booth that voters are directed to for the purpose of completing and voting the provisional voting materials is not a check-in table and the privacy of the voting process should be respected by officers of election and authorized representatives.
6. It is unlawful for any authorized representative to be in a position to see the marked ballot of any other voter.
7. The representative cannot in any way hinder or delay a voter or officer of election.
8. The representative cannot insult or abuse an officer of election nor conduct herself in a noisy or riotous manner.
9. The representative cannot give, offer or show any ballot, ticket or other campaign material.
10. The representative cannot influence any person in casting his ballot. Such prohibited influence would include a representative tendering advice to the voter on the type of ballot he should cast.
11. The representative cannot perform any type of filming or photography while inside the polling place, including the use of a camera phone to film or photograph.
12. Use of wireless electronic devices is permitted inside the polling place. However, officers of election may prohibit the use of cellular telephones or other handheld wireless communications devices if such use will hinder, intimidate, or interfere with any qualified voter from casting his/her ballot or if the use of the wireless device results in the authorized representative conducting him or herself in a noisy or riotous manner so as to disturb the election. §§ 24.2-604 and §§ 24.2-607. It is recommended that the authorized representative leave the polling place when making a phone call on his or her cellular phone.
13. A representative may mark or make his own list of those who have voted and make his own notes. An officer cannot provide any lists to representatives.
14. A representative may challenge a voter who is known or suspected not to be a duly qualified voter. The person challenging a voter must complete and sign a statement of challenger form stating the specific reason for the challenge. The challenged voter will be offered a written statement (page 2 of the same form) attesting to their qualifications to vote. If the voter signs the statement he or she must be allowed to vote. If the voter refuses to sign the statement he or she will not be allowed to vote. Challenges should not be made frivolously. §§ 24.2-607(A), 24.2-651, 52 USC 10307 (federal intimidation offense).

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15. The authorized representative is prohibited from providing assistance to any voter or wearing any indicator that he is available to assist any voters either inside the polling place or within 40 feet of any entrance to the polling place. Prohibited assistance for this purpose includes providing voters over 65 or those physically disabled, or those with a disability or inability to read or write, or those that require language assistance with assistance in voting. The same restriction applies to any neutral observer authorized by the electoral board to be inside the polling place. §§ 24.2-604(C) and 24.2-649. However, there is no absolute prohibition on a representative speaking to either an officer or a voter, subject to the restrictions herein and to the officers' discretion in conducting an orderly election.

16. If voter asks an officer of election to translate the ballot:
 - a. The officer must first ask any authorized representatives of the parties/candidates who are in the polling place whether they have a volunteer available who can interpret for the voter in the requested language. (If so, the representative would briefly exit the polling place to get the volunteer interpreter.) § 24.2-649(C)

 - b. If available, one interpreter per such party or candidate will be allowed to listen to the officer assist the voter.

 - c. The voter may choose one of the interpreters to assist instead of the officer. The newly designated assistant must be qualified to assist (see below) and complete a new assistance form accordingly.

 - d. The Request for Assistance form must be completed by the voter and assistant.

 - e. Any party/candidate interpreter(s) must complete Part C of the form stating that the interpreter will not attempt to influence the voter's vote or reveal how the voter votes.