

MANUAL FOR DEMOCRATIC POLL WATCHERS

JUNE 8, 1954

*I thought you'd
be interested.*

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INTRODUCTION

Your job on election day will be to observe the conduct of the election in the polling place assigned to you, so that every registered Democrat entitled to vote will get to vote, and get to have his ballot counted.

Polling places are open to the public, both during the voting and while the ballots are being counted. Only precinct board members and voters actually voting are allowed to enter the space between the table where the board members sit and the polling booths. Do not enter **that** space at any time **while the polls are open for voting.** You are entitled to be anywhere else in or around the polling place. You don't need anyone's permission to be there, to observe the voting, to challenge, to resist challenges, to insist that proper procedures are followed, to watch the counting of the ballots. You do not have to be a resident of the precinct where you are working.

THE REFERENCES WHICH APPEAR HEREAFTER ARE TO THE OFFICIAL 1954 ELECTION OFFICERS DIGEST, COPIES OF WHICH ARE AT EACH POLLING PLACE. ("p. 4/5" MEANS PAGE 4, THE 5TH BOLD FACE PARAGRAPH ON THAT PAGE.)

THE POLLING PLACE

Generally, there is one polling place to a precinct. Inside there will be a table at which some of the five precinct board members will be sitting; polling booths; a large book called the REGISTER, which contains the original affidavits of registration of all registered voters in that precinct; a book called the ROSTER, in which each voter must sign his name and address before receiving a ballot (so that his signature can be compared with his signature on the original affidavit); a list of persons in that precinct who have received an absentee ballot; several lists of the registered voters in that precinct (two copies of this list must be posted where all can see them, (p. 19/2), on one copy of the list the names of those who vote are marked off periodically throughout the **entire** day (p. 19/3)); and, of course, the ballots; the ballot box; and the official tally sheets on which the count of the ballots is entered.

HOW VOTING IS CONDUCTED

The polls are open between 7:00 A.M. and 7:00 P.M. **All those in line at 7:00 P.M. are entitled to vote** (p. 34/2). The actual procedure followed in voting is as follows: The voter enters, states his name and address, and, if his affidavit is in

the register for that precinct, signs his name and address on the roster, gets the ballot corresponding to his party affiliation as shown on his affidavit, retires to the booth, marks his ballot and delivers the marked ballot, folded, to one of the precinct board members, who tears off the numbered stub on the ballot, puts the ballot in the box and gives the stub to the voter.

One of the precinct board members will actually deliver ballots to the voters. As he does so, **the board member must tell the voter, loudly enough for bystanders to hear, to mark his ballot with the rubber stamp or his ballot won't be counted** (p. 29/4). **Make sure that this statement is made to each and every voter as the ballot is delivered to him.**

If the voter spoils his ballot, he can get another one (p. 31/3).

If a person has a broken arm, is blind, or for any other physical reason cannot mark his ballot, he is entitled to take someone with him into the booth. If he has no one to take, he is entitled to have two members of the board accompany him to the booth (p. 32/7).

There can be no campaigning or electioneering of any kind within 100 feet of the polling place (p. 21/6).

CHALLENGES

Between the time that a voter signs the roster and the time that he is given a ballot his right to vote may be challenged. A challenge is, in effect, a charge that although the person is registered, he does not have the necessary qualifications for voting, and therefore should not be given a ballot (p. 24/3).

The Constitution of the State of California sets up a number of requirements which a person must meet in order to vote (p. 22/8):

1. He must be 21 years of age.
2. He must have been a citizen 90 days before the election.
3. He must have been a resident of California for one year, the County of Los Angeles for 90 days, and the precinct for 54 days prior to the election (subject to the right to vote in one's old precinct even after moving out of it, which will be discussed below).
4. He must be able to read the Constitution in English and write his name (except those prevented by reason of physical disability).

In order for a person to register in the first place, he must show that he meets these Constitutional requirements. It is presumed, therefore, that if a person is registered he does meet the Constitutional requirements. It cannot be stressed too strongly that the voter's ability to read, his citizenship, etc., has already been determined when he registered.

Normally, challenges at the polling place on election day are rare. However, in recent elections there has been an effort, in predominantly Democratic precincts, to challenge many of those who came to vote. If this happens in the precinct where you are working, you must move quickly. In the November, 1952 election substantial numbers of voters were denied the right to vote through just such a mass challenging campaign.

Mass challenges are in and of themselves improper and should be summarily overruled by the Board. Indeed, mass challenges may constitute a crime, punishable by imprisonment (p. 42/6, p. 43/1).

If any effort is made at your polling place to challenge large numbers of voters, protest immediately to the precinct board members and insist that the challenges be overruled. If they are not, call **MAdison 5-7831 (Democratic Headquarters)** and **ask for the legal committee.**

Get the name of the person or persons engaging in the mass challenging and report it to Democratic Headquarters immediately.

To repeat, if anyone in the polling place is challenging regularly, or challenging large numbers of voters, take the action outlined above, **whether the challenging is conducted in accordance with the rules for challenging or not.**

In order to make any challenges yourself, or to resist the **occasional** challenge, which is proper, you should know what the challenging procedure requires.

Only a **registered voter** of Los Angeles County can challenge in Los Angeles County (p. 24/3, p. 8/21). Insist that the challenger prove that he is such a registered voter. If he is not on the register in **that** precinct, make him prove that he is a registered voter of Los Angeles County. Does he have a certified copy of his registration affidavit (p. 27/1)? If he does not have one, and can not otherwise prove his qualifications **to challenge**, insist that his challenge be ignored.

Challenges can only be made in front of the precinct board itself (p. 23/1). There can be no challenge outside the polling

place of persons walking up to the polling place or standing in line. If any effort is made to challenge such voters, or to make any inquiry into their qualifications, call this to the attention of the members of the precinct board immediately and insist that it be stopped. If it is not stopped immediately, call as above. Get the person's name and report it.

Challenges can only be made **after** the voter signs his name and address in the roster (p. 23/1). If the challenge is sustained the voter does not get a ballot (p. 28/2); if it is overruled the voter gets a ballot (p. 28/4). **It is too late to challenge once the voter is handed his ballot.**

A situation in which you may yourself want to challenge is where the person who comes to vote no longer resides in the precinct. If the voter still lives in the precinct in which he is registered, you can assume that he is entitled to vote.

If the person seeking to vote is listed in the register for that precinct, but no longer lives there, his right to vote there depends on two things:

A. When he moved out.

B. Where he moved to.

The following rules will cover every such situation:

1. If he moved out of California, he cannot vote (p. 22/8).
2. If he moved outside of Los Angeles County, to another County in California, he can vote in his old precinct if he moved out on or after March 10, 1954. If he moved out on or before March 9, 1954, he cannot vote in his old precinct (p. 22/8).
3. If he moved to a different precinct in Los Angeles County, he can vote in his old precinct if he moved out on or after April 15, 1954. If he moved out on or before April 14, 1954, he cannot vote in his old precinct (p. 22/8).

If the voter claims that he now lives in the precinct, and registered at that address, but his name is not on the register in that precinct, have one of the precinct board members call MUtual 9211 and ask for the registrar of voters, to find out in which precinct he can vote.

HOW BALLOTS ARE COUNTED

After the polls close, all unused ballots must be defaced (p. 34/4).

The counting of the ballots is open to the public. Voting stops at 7:00 P.M. but the polls do not close. You are entitled to watch the entire count (p. 34/6, p. 36/6).

Only one count can be conducted at a time. The board cannot divide into squads in order to conduct two counts at the same time (p. 36/1).

One member of the Board does the counting out loud, while another member looks over his shoulder (p. 36/4). Two other members record the count as it is called, each on a separate tally sheet (p. 36/5). Only the official tally sheets can be used (p. 34/5).

Both the ballots being read, and the tally sheets, must be within the clear view of bystanders—you (p. 36/6). If you are alone, watch the ballots being read, if there are two of you, one should watch the ballots and one the tally sheets.

The ballots can be counted in either one of two ways:

1. One office at a time, through all the ballots; or
2. All the offices on each ballot, one ballot at a time (p. 36/4).

The ballots must be marked with the rubber stamp in the voting square (p. 37/7, p. 38/1), except for write-in candidates, where just the written name is enough (p. 38/2). Rubber stamp marks partly in the voting square and partly outside of it **can count** (p. 39/3). **In counting ballots, the important thing is whether the voter's choice can be determined, not technicalities** (p. 38/3). The fact that the ballot is improperly marked for one office does not invalidate the rest of the ballot. The rest of the ballot is counted (p. 39/2, 3).

The results of the voting in each precinct are posted on the outside of the polling place when the counting is completed (p. 37/6).

IF YOU HAVE ANY QUESTIONS, CALL DEMOCRATIC HEADQUARTERS AT MADison 5-7831 AND ASK FOR THE LEGAL COMMITTEE.

