

**From:** [Love, Katelyn](#)  
**To:** [Philip Thomas](#)  
**Subject:** FW: [Deadline](#) for Observer Lists for One-Stop Sites  
**Date:** Friday, October 9, 2020 12:03:00 PM

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See below per your public records request

Katelyn Love | General Counsel  
t: 919-814-0756 | f: 919-715-0135



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**From:** Love, Katelyn <Katelyn.Love@ncsbe.gov>  
**Sent:** Friday, October 9, 2020 12:03 PM  
**Cc:** SBOE\_Grp - Legal <Legal@ncsbe.gov>  
**Subject:** Deadline for Observer Lists for One-Stop Sites

Directors,

The purpose of this email is to provide information about the deadlines for the county political party chairs to submit the list of observer to the county boards of elections. For one-stop, the party chair is required to submit the list of observers for one-stop sites before 10:00 a.m. on the fifth day before the observer is to observe. **Because the deadline to submit the list of observers for the first day of one-stop falls on a weekend, the deadline for submission of observers to serve on Thursday, October 15, Monday, October 12, at 10 a.m.**

The chair of each political party in a county may designate two precinct-specific observers to attend each one-stop site. The party chair may also designate 10 additional at-large observers who may attend any voting place in the county. If different observers will serve on different days of one-stop, the list of observers for one-stop must designate the names of the observers who will be present on each day of early voting. At-large observers may serve at any one-stop site.

The party chair may provide the list by fax or email provided the letters are signed. The list of at-large observers who serve during early voting may not be amended after the submission deadline.

No more than two observers from the same political party shall be permitted in the voting enclosure at any time, except that in addition one of the at-large observers from each party may also be in the voting enclosure. It is recommended that observers bring a photo ID when they go to the voting place in the event an elections official requests to confirm that they are an authorized observer.

**The state political party chairs may name 100 statewide observers, who must be registered voters in the state. These will be submitted by the parties to the State Board, and we will forward them to you.**

Sincerely,

Katelyn Love | General Counsel

**From:** [Love, Katelyn](#)  
**To:** [Heather Ford](#); ["Philip Thomas"](#)  
**Subject:** FW: Number of precinct-specific observers  
**Date:** Thursday, October 29, 2020 9:48:00 AM

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See below

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**From:** Love, Katelyn  
**Sent:** Thursday, October 29, 2020 9:48 AM  
**Subject:** Number of precinct-specific observers

Directors,

We have been asked to provide you with guidance regarding the number of precinct-specific observers that may be on the list from a political party to serve on Election Day.

We interpret the statute to allow the political party to appoint shifts of precinct-specific observers. The party must specify the times the precinct-specific observers will serve, but the list may contain more than two names if the party chooses. Of course, only two precinct-specific observers may be present in the voting place at the same time, and all observers may be relieved only after serving no less than four hours.

See G.S. § 163-45:

### **§ 163-45. Observers; appointment.**

(a) The chair of each political party in the county shall have the right to designate two observers to attend each voting place at each primary and election and such observers **may, at the option of the designating party chair, be relieved during the day of the primary or election after serving no less than four hours and provided the list required by this section to be filed by each chair contains the names of all persons authorized to represent such chair's political party.**

Please see the rule, [08 NCAC 20 .0101](#), for additional information about observers.

Sincerely,

Katelyn Love | General Counsel  
t: 919-814-0756 | f: 919-715-0135



**From:** [Heather Ford](#)  
**To:** [Love, Katelyn](#)  
**Cc:** ["Philip Thomas"](#)  
**Subject:** [External] Precinct specific poll observers  
**Date:** Thursday, October 29, 2020 9:14:56 AM

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I am pleased that after further review you agree that precinct-specific observers are not limited to two per election day, but as 08 NCAC 18.0101(c) states "may be relieved after serving no less than four hours."

To prevent further misinterpretation on the issue , I would highly recommend a clarifying statement be issued to county Board of Election directors. This needs to be done immediately as the filing deadline for poll observers is at 10 AM today. Otherwise, we may have a lot of GOP chairs upset with their county boards and the state board. Please BCC me and Philip Thomas on that email to county directors.

Thank you,

*Heather Ford*

NC EDO Director  
919-280-0301 (m)

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