



COUNTY OF CALAVERAS

REBECCA TURNER
Clerk-Recorder

COUNTY CLERK-RECORDER

891 Mountain Ranch Road
San Andreas, CA 95249
Phone: (209)754-6372
Fax: (209)754-6733
Recorderweb@co.calaveras.ca.us

February 4, 2021

Scott A. McMillan
The McMillan Law Firm
4670 Nebo Drive, Suite 200
La Mesa, California 91941-5230
Email: scott@mcmillanlaw.us

Re: PRA Request dated January 25, 2021

Dear Mr. McMillan:

This letter is in response to your California Public Records Act ("PRA") request directed to the Registrar of Voters, which was received via email after-hours on January 25, 2021. Your letter requests records related to the November 3, 2020 General Election.

As an initial matter, your lengthy demands are more akin to civil discovery than a proper PRA request, which requires that the request be focused, specific, and seek readily-identifiable records. Many of your requests do not describe specific records, are unclear, and/or do not make sense in the context of how the Registrar generates or maintains its records. For example, several of the requests reference 2 C.C.R. § 19064(c), which requires counties to "complete a security assessment of its election information system prior to a statewide primary election," but seek records that were created after the statewide primary election. Likewise, several of the requests appear to refer to a Dominion voting system, which the County of Calaveras does not utilize.

As best as we can discern, several of the requests seek voter registration information and/or voter history. Voter registration information, including voter history, can be applied for and purchased pursuant to Sections 2188 and 2194 of the Elections Code, as well as California Code of Regulations, title 2, section 19001, *et seq.*, which, among other things, requires the submittal of an application form as specified in 2 C.C.R. § 19008. The application to purchase voter registration data can be found by accessing the following link <https://elections.calaverasgov.us/Next-Election/Data-Requests>.

Please find below responses to your specific requests:

1. Provide those documents identifying, by date, time and means, all synchronization transmissions between the California Secretary of State and the county Registrar of Voters.

2. Provide those documents with the results of each synchronization transmission between the California Secretary of State and the county Registrar of Voters, by number of registrants confirmed as valid, and those that are identified as invalid.
3. Provide those documents which reflect notifications from the Secretary of State requesting or directing modifications to a voter's registration record between September 1, 2020 and November 15, 2020.
4. Provide those documents that reflect, in summary form, the modifications to the voter registration record, by date, time, and by any unique voter registration number or name of voter, for those records modified between September 1, 2020 and November 15, 2020.

Response to Nos. 1 through 4: It is not entirely clear what records are being requested by way of these categories. To the extent they seek voter registration information, including voter history, that must be applied for and purchased pursuant to Elections Code §§ 2188 and 2194 and 2 C.C.R. §§ 19001, *et seq.* As mentioned above, this requires (among other things) the submittal of an application form (see 2 C.C.R. § 19008.) The application to purchase voter registration data can be found by accessing the following link: <https://elections.calaverasgov.us/Next-Election/Data-Requests>

5. Provide those documents identifying where, by geographic location, ballots were counted in the County between October 15, 2020, through November 30, 2020.

Response to No. 5: The Registrar counted ballots at the County Elections Office located at 891 Mountain Ranch Road, San Andreas, CA. Attached please find the Legal Notice.

6. Provide those documents, i.e., logs, narratives of inspection, created between September 1, 2020 and November 15, 2020 reflecting "Active management (inventory, tracking, and correction) of all software on the network so that only authorized software is installed and can execute" took place in compliance with 2 CCR § 19064(c)(2).
7. Provide those documents, i.e., logs, narratives of inspection, created between September 1, 2020 and November 15, 2020 reflecting "active management (tracking, reporting, and correction) of the security configuration of laptops, servers, and workstations in order to prevent attackers from exploiting vulnerable services and settings" took place in compliance with 2 CCR § 19064(c)(3).
8. Provide those documents, i.e., logs, narratives of inspection, created between September 1, 2020 and November 15, 2020 reflecting "Active management (tracking, control, and correction) of the ongoing operational use of ports, protocols, and services on networked devices in order to minimize vulnerabilities available for attack" took place in compliance with 2 CCR § 19064(c)(9).
9. Provide the log files for all data traffic, including connection requests accepted and refused, between the County's election information file and any other location between September 1, 2020 and November 15, 2020.
10. Provide those documents, i.e., logs, narratives of inspection, created between September 1, 2020 and November 15, 2020 reflecting "Tracking, controlling, preventing,

and correcting the security use of wireless local area networks, access points, and wireless client systems" which took place in compliance with 2 CCR § 19064(c)(15).

11. Provide those documents, i.e., logs, narratives of inspection, created between September 1, 2020 and November 15, 2020 reflecting the inventory and identification of all wireless connections in the County's ballot processing location.
12. Provide those documents, i.e., logs, narratives of inspection, created between September 1, 2020 and November 15, 2020 reflecting the inventory and identification of all wireless-capable devices in the County's ballot processing location.
13. Provide those documents, identifying by serial number, MAC address, device, and location, and the custodian of, all wireless-capable devices in the County's ballot processing location between November 2, 2020 and November 13, 2020.

Response to Nos. 6 through 13: The Registrar has identified responsive document(s) that describe potential vulnerabilities, the disclosure of which would increase the potential for an attack on the information technology systems associated with the Registrar of Voters and the County. Such document(s) are exempt from disclosure pursuant to Government Code §§ 6254(aa), 6254.19, and 6255 and 2 C.C.R. § 19064.

14. Provide those documents, reflecting any incident response infrastructure (e.g., plans, defined roles, training, communications, and management oversight) operational prior to October 15, 2020, which took place in compliance with 2 CCR § 19064(c)(19).
15. Provide those documents, reflecting training on any incident response infrastructure (e.g., plans, defined roles, training, communications, and management oversight) prior to October 15, 2020.
16. Provide those documents, reflecting roles on any incident response infrastructure (e.g., plans, defined roles, training, communications, and management oversight) prior to October 15, 2020.
17. Provide those documents, reflecting communications on any incident response infrastructure (e.g., plans, defined roles, training, communications, and management oversight) prior to October 15, 2020.
18. Provide those documents, reflecting management oversight on any incident response infrastructure (e.g., plans, defined roles, training, communications, and management oversight) prior to October 15, 2020.

Response to Nos. 14 through 18: The Registrar will produce general policies and procedures that do not describe potential vulnerabilities or otherwise increase the potential for an attack on the information technology systems associated with the Registrar of Voters and the County and which would therefore be exempt from disclosure.

19. Provide those documents reflecting the identity of each person that has accessed the routers for the County's EMS and election information systems between October 15, 2020 and November 13, 2020.

20. Provide those documents which identify all persons, not permanently employed by the County, who accessed servers or routers of the EMS and election information system between October 15, 2020 and November 14, 2020.
21. Provide documents which identify all persons authorized by the County who accessed servers or routers of the EMS and election information system between October 15, 2020 and November 14, 2020.

Response to Nos. 19 through 21: The Registrar has identified responsive document(s) that describe potential vulnerabilities or otherwise increase the potential for an attack on the information technology systems associated with the Registrar of Voters and the County. As such, the Registrar asserts that such document(s) are exempt from disclosure pursuant to Government Code §§ 6254(aa), 6254.19, and 6255 and 2 Cal. Code. Reg. § 19064.

22. Provide those documents which identify all persons with USB or "flash drives" that were allowed access to any location where votes were tallied or processed in the County.
23. Provide those documents which identify all persons with sign-on authentication authorization as a direct user to the County's EMS and election information system between September 15, 2020 and December 1, 2020.

Response to Nos 22 and 23: Records identifying Registrar employees who have access to voting machine tabulation storage devices are exempt from disclosure pursuant to Government Code §§ 6254(c), 6254(k), 6254.19 and 6255, and the California Constitution, article I, Section 1.

24. Provide the log files for the County's EMS and election information system with entries between September 15, 2020 and December 1, 2020.
25. Provide those documents or records reflecting a network topology plan or map referencing the devices attached each other device within the County's EMS and election information system.
26. Provide those documents or records reflecting the log monitoring tools used to send real-time alerts and notifications.
27. Provide the "real-time alerts and notifications", as referenced in 2 CCR 19064(e)(3) sent between September 1, 2020 through December 10, 2020.
28. Provide those documents or records reflecting review, at any time, of "any errors, abnormal activities, and any system configuration changes", identified between September 1, 2020 through December 10, 2020.
29. Provide those documents which reflect "any errors" in the County's EMS and election information system identified between September 1, 2020 through December 10, 2020.
30. Provide those documents which reflect "abnormal activities" in the County's EMS and election information system identified between September 1, 2020 through December 10, 2020.

31. Provide those documents which reflect "system configuration changes" in the County's EMS and election information system identified between September 1, 2020 through December 10, 2020.

Response to Nos. 23 through 31: The Registrar has identified responsive document(s) that describe potential vulnerabilities or otherwise increase the potential for an attack on the information technology system associated with the Registrar of Voters and the County. As such, the Registrar asserts that such document(s) are exempt from disclosure pursuant to Government Code §§ 6254(aa), 6254.19, and 6255 and 2 Cal. Code. Reg. § 19064.

32. Provide those documents which reflect "unauthorized use" in the County's EMS and election information system identified between September 1, 2020 through December 10, 2020.
33. Provide those documents which reflect "suspected breach" in the County's EMS and election information system identified between September 1, 2020 through December 10, 2020.
34. Provide those documents which reflect "denial of service attack " in the County's EMS and election information system identified between September 1, 2020 through December 10, 2020.
35. Provide those documents reflecting a report to the Secretary of State Elections Division Help Desk of a "detected unauthorized use, suspected breach, or denial of service attack" between September 1, 2020 through December 10, 2020, as required under 2 CCR 19064 (g).

Response to Nos. 32 through 35: Following a diligent search, the Registrar possesses no records responsive to request Nos. 32 through 35.

36. All records reflecting change in registration status submitted to the statewide voter system by the County due to felony status processed between September 1, 2020, and November 10, 2020.

Response: The Registrar has identified responsive document(s) and will produce such document(s) for review and duplication once the Registrar receives a completed application for voter registration data and fee pursuant to 2 CCR §§ 19001, *et seq.*

37. All records reflecting change in registration status submitted to the statewide voter system by the County due to federal felony status processed between September 1, 2020, and November 10, 2020.

Response: See response to request No. 36. The County's responsive records do not identify whether the change in registration status is due to a state versus a federal felony.

38. All records reflecting change in registration status submitted to the statewide voter system by the County due to county death records reflecting voter to be deceased processed between September 1, 2020, and November 10, 2020.

Response: The Registrar has identified responsive document(s) and will produce such document(s) for review and duplication once the Registrar receives a completed application for voter registration data and fee pursuant to 2 CCR §§ 19001, *et seq.*

39. All records reflecting the total cancellations directed by the Secretary of State processed by the County between September 1, 2020, and November 10, 2020.

Response: The Registrar has identified responsive document(s) and will produce such document(s) for review and duplication once the Registrar receives a completed application for voter registration data and fee pursuant to 2 CCR §§ 19001, *et seq.*

40. All records reflecting searches of county felony records between September 1, 2020, and November 10, 2020.
41. All records reflecting searches of county death records between September 1, 2020, and November 10, 2020.
42. All records reflecting county searches of DMV Change of Address (DMV COA) between September 1, 2020, and November 10, 2020.

Response to Nos. 40 through 42: The Registrar possesses no records responsive to request Nos. 40 through 42.

43. All records reflecting total submissions by changes in the registration record to the statewide voter registration system in accordance with Section 19061, between September 1, 2020, and November 10, 2020.

Response: It is unclear precisely what records are sought by this request. To the extent you seek voter registration information, including voter history, that must be applied for and purchased pursuant to Elections Code §§ 2188 and 2194 and 2 C.C.R. §§ 19001, *et seq.* As mentioned above, this requires (among other things) the submittal of an application form (see 2 C.C.R. § 19008.) The application to purchase voter registration data can be found by accessing the following link:
<https://elections.calaverasgov.us/Next-Election/Data-Requests>

44. Those documents reflecting the dates of certifications of information provided to the Secretary of State according to 2 CCR § 19086(b).

Response: The Registrar has identified responsive records, which will be made available for review and duplication.

45. Those documents reflecting the date of generation of the official list extract from the statewide voter registration system for the purpose of conducting the 2020 General Election.

46. Those documents reflecting the date of each subsequent or supplemental rosters, after the initial roster for the purpose of conducting the 2020 General Election.

Response to Nos. 45 and 46: The requests appear to seek production of a printed roster on a specific date and any subsequent supplemental rosters. The Registrar does

not possess such rosters because the County of Calaveras utilizes electronic rosters at vote centers, which are updated in real-time.

47. All certifications executed by any county election official for the November 3, 2020 General Election.

Response: The Registrar has identified responsive records, which will be produced and sent in electronic format.

48. The number of ballots determined by the County through adjudication for the November 3, 2020 election.

Response: Responsive records regarding the number of ballots adjudicated will be made available.

49. All ballots duplicated by the County through adjudication for the November 3, 2020 election.

Response: Responsive records regarding the number of ballots duplicated will be made available.

To the extent this request seeks production of the ballots themselves, such records are exempt from disclosure pursuant to Government Code §§ 6254(k) and 6255, the California Constitution, article II, Section 7, and Elections Code §§ 15370 (after ballots are counted and sealed, the elections official may not open any ballots nor permit any ballots to be opened), 15630 (all ballots, whether voted or not and any other relevant material, may be examined as part of any recount if the voter filing the declaration requesting the recount so requests) and 17302 (packages containing ballots and identification envelopes shall be kept by the elections official, unopened and unaltered, for six months from the date of the election).

50. Those documents that identify the records of ballots duplicated for the November 3, 2020 election.

Response: The Registrar possesses no responsive records, but for the ballots themselves, which are exempt from disclosure pursuant to Government Code §§ 6254(k) and 6255, the California Constitution, article II, Section 7, and Elections Code §§ 15370 (after ballots are counted and sealed, the elections official may not open any ballots nor permit any ballots to be opened), 15630 (all ballots, whether voted or not, and any other relevant material, may be examined as part of any recount if the voter filing the declaration requesting the recount so requests) and 17302 (packages containing ballots and identification envelopes shall be kept by the elections official, unopened and unaltered, for six months from the date of the election).

51. Those documents that identify the records of ballots adjudicated for the November 3, 2020 election.

Response: The Registrar has located responsive documents(s) reflecting the number of ballots duplicated, and such records will be produced and sent in electronic format.

To the extent that this request seeks information regarding specific ballots, the ballots are exempt from disclosure pursuant to Government Code §§ 6254(k) and 6255, the California Constitution, Article II, Section 7, and Elections Code §§ 15370 (after ballots are counted and sealed, the elections official may not open any ballots nor permit any ballots to be opened), 15630 (all ballots, whether voted or not and any other relevant material, may be examined as part of any recount if the voter filing the declaration requesting the recount so requests) and 17302 (packages containing ballots and identification envelopes shall be kept by the elections official, unopened and unaltered, for six months from the date of the election).

52. Those documents that identify the records of changes to ballots made for the November 3, 2020 election.

Response: The Registrar has located responsive documents(s) reflecting the number of ballots duplicated and will produce and send in electronic format.

To the extent this request seeks production of the ballots themselves, such records are exempt from disclosure pursuant to Government Code §§ 6254(k) and 6255, the California Constitution, Article II, Section 7, and Elections Code §§ 15370 (after ballots are counted and sealed, the elections official may not open any ballots nor permit any ballots to be opened), 15630 (all ballots, whether voted or not and any other relevant material, may be examined as part of any recount if the voter filing the declaration requesting the recount so requests) and 17302 (packages containing ballots and identification envelopes shall be kept by the elections official, unopened and unaltered, for six months from the date of the election).

53. All correspondence, whether such correspondence occurred by physical letter, email, text message, with any person employed by or affiliated with Dominion Voting Systems, Inc. between April 1, 2019 through December 10, 2020.

Response: A response to a Request for Proposal (RFP) submitted by Dominion Voting Systems, Inc., with portions marked confidential redacted will be produced and copies sent in electronic format.

54. All correspondence, whether such correspondence occurred by physical letter, email, text message, with any person employed by or affiliated with the California Secretary of State's Office of Voting Systems Technology Assessment between April 1, 2019 through December 10, 2020.

Response: The Registrar has located responsive documents(s) constituting correspondence with the California Secretary of State's Office of Voting Systems Technology Assessment within the timeframe described above, and will produce electronic copies of those records.

Request Nos. 55 through 63 seek records regarding the use of voting systems during the November 3, 2020 General Election which were manufactured by Dominion Voting Systems, reference Eric Coomer, an executive of Dominion, and/or contain terms used to describe features of a voting system offered by Dominion. The County of Calaveras does not use a Dominion voting system; thus, it does not possess any records reflecting the use of such a voting system during the November 3, 2020 General Election.

Please feel free to contact Robin Glanville at rgranville@co.calaveras.ca.us or (209) 754-6375 to arrange for the delivery of a copy of the responsive records. If you would like to obtain printed copies of the requested records, you will be required to pay the County's copy charge of \$0.50 per page (8 ½ by 11) after the first three pages in accordance with Government Code § 6253(b) and County Resolution 08-202.

If you have further questions, you can contact me at (209)754-6376 or email electionsweb@co.calaveras.ca.us.

Sincerely,

A handwritten signature in blue ink that reads "Rebecca Turner". The signature is written in a cursive style with a large initial "R".


Rebecca Turner

County Clerk-Recorder & Registrar of Voters

Calaveras County Legal Notices

LEGAL NOTICE

NOTICE IS GIVEN that voting locations for the November 3, 2020 Presidential General Election will open beginning October 31, 2020. Please see the list of locations with days and times of availability listed below.

Voting Locations	Days of Operation	Hours	
San Andreas Elections Office 891 Mountain Ranch Rd	10/5-11/2/20 Mon-Fri	8am-4pm	N
	Election Day	7am-8pm	
Valley Springs Jenny Lind Veterans Hall 300 Daphne St	10/31-11/2/20	8am-4pm	Y
	Election Day	7am-8pm	
Mokelumne Hill Town Hall 8283 Main St	10/31-11/2/20	8am-4pm	Y
	Election Day	7am-8pm	
Angels Camp Bret Harte Theater 323 S. Main St	10/31-11/2/20	8am-4pm	Y
	Election Day	7am-8pm	
Copperopolis Library - Lake Tulloch Plaza 3505 Spangler Ln	10/31/20	10am-2pm	N
Arnold Independence Hall 1445 Blagen Rd	10/31/20	10am-2pm	N
West Point VFW 202 Spink Rd	11/1/20	10am-2pm	Y

NOTICE IS FURTHER GIVEN that six ballot drop box sites will be available at the below locations, beginning October 5, 2020. Drop boxes are available during regular store business hours as indicated below, except on Election Day, in which all ballot drop boxes will close at 8 pm unless the business closes earlier.

Drop Box Locations	Days of Operation	Hours	
Angels Camp Save Mart Inside Store, 260 S. Main St	10/5-11/2/20	6am-10pm	Y
	Election Day	6am-8pm	
Valley Springs Senders Market Inside Store 72 S. Highway 26	10/5-11/3/20		Y
	Mon-Sat	7am-8pm	
	Sunday	8am-6pm	
San Andreas Government Center 891 Mountain Ranch Rd	10/5-11/2/20	24 hours	Y
	Election Day	Closes 8pm	
Copperopolis Payless Market Inside Store 3505 Spangler Ln	10/5-11/2/20	7am-9pm	Y
	Election Day	7am-8pm	
West Point Lumber - Inside Store 22471 Highway 26	10/5-11/3/20		N
	Mon-Sat	8am-5pm	
	Sunday	9am-3pm	
Arnold Big Trees Market - Inside Store 2182 Highway 4	10/5-11/3/20	8am-8pm	Y

NOTICE IS FURTHER GIVEN that the central counting place for the Presidential General Election to be held on Tuesday, November 3, 2020, will be the Office of the Clerk-Recorder & Registrar of Voters, Government Center, 891 Mountain Ranch Road, San Andreas, California. (EC 12109)

NOTICE IS FURTHER GIVEN that logic and accuracy testing of voting machines will commence on September 30, 2020, and continue until completed for the November 3, 2020 Presidential General Election.

NOTICE IS FURTHER GIVEN that processing of the Vote by Mail ballots for the November 3, 2020 Presidential General Election will commence October 5, 2020, and continue until completion. (EC 15101 & 15104)

NOTICE IS FURTHER GIVEN that the official canvass including the mandatory 1% manual count of the November 3, 2020 Presidential General Election will commence no later than Thursday, November 5, 2020, at 9:00 am in the Office of the Clerk-Recorder & Registrar of Voters, Government Center, 891 Mountain Ranch Road, San Andreas, California. (EC 15301)

All processes are open to the public, and anyone interested in observing virtually is welcome. Please contact the Elections Department at (209) 754-6376 for information on how to register to receive a link to observe the process virtually through Zoom. Calaveras County Election Observer Guidelines are available online <http://elections.calaverasgov.us/Next-Election/Candidate-and-Measure-Guides> with additional information.

Rebecca Turner
Calaveras County Clerk-Recorder/Registrar of Voters

Published: September 30, 2020 VSN

**PROOF OF PUBLICATION
(2015-5 C.C.P.)**

RECEIVED

OCT 07 2020

CALAVERAS COUNTY
ELECTIONS DEPARTMENT

This space is for the County Clerk's filing Stamp

STATE OF CALIFORNIA
County of Calaveras

I am a citizen of the United States and a resident of the County aforesaid. I am over the age of eighteen years. I am the principal clerk of the printer of The Valley Springs News, a newspaper of general circulation, printed bi-weekly in the Township of Valley Springs, California, County of Calaveras, that the notice of which the annexed is printed copy (set in type) not smaller than nonpareil, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates: to wit:

9/30

all in the year 2020

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Dated at Valley Springs, California

this 5th day of October, 2020

Signature 

THE Valley Springs NEWS

1919 Vista Del Lago, Unit 8
P.O. Box 1297, Valley Springs, CA 95252
(209) 772-2234