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March 11, 2021

**Via Email:** [scott@mcmillanlaw.us](mailto:scott@mcmillanlaw.us)

Scott A. McMillan  
The McMillan Law Firm  
4670 Nebo Drive, Suite 200  
La Mesa, California 91941-5230

**Re: Further Response and Determinations from the Shasta County Registrar to Your PRA Request Regarding the General Election, November 3, 2020, Dated January 28, 2021, Addressed to Shasta County Clerk and Register of Voters**

Dear Mr. McMillan:

This is to provide further responses and supplemental determinations from the County of Shasta Registrar of Voters/Election Department (Registrar) to your Public Records Request dated January 28, 2021. Please find responses below and non-exempt records attached. You will note that where indicated below, the Registrar has identified certain categories for which responsive records may be made available if the Registrar receives a completed application for voter registration data and the fee pursuant to 2 CCR § 19001, et seq.

- 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.**

Response: The Registrar has determined that it possesses no records responsive to this request.

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- 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.**

Response: The Registrar has determined that it possesses no records responsive to this request.

- 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.**

Response: The Registrar has determined that without performing data compilation, extraction, or programming to produce a copy of a record with the requested data, it possesses no records responsive to this request. If you would like a copy of a record that requires data compilation, extraction, or programming to produce, please reply to confirm your request and our office will then provide you with an estimate of the cost of producing a copy of the record, including the cost to construct the record and cost of programming and computer services necessary to produce a copy of the record, pursuant to Government Code § 6253.9.

- 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: The Registrar has determined that without performing data compilation, extraction, or programming to produce a copy of a record with the requested data, it possesses no records responsive to this request. If you would like a copy of a record that requires data compilation, extraction, or programming to produce, please reply to confirm your request and our office will then provide you with an estimate of the cost of producing a copy of the record, including the cost to construct the record and cost of programming and computer services necessary to produce a copy of the record, pursuant to Government Code § 6253.9.

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

Response: The Registrar has determined that it possesses records responsive to this request. Please see attached.

- 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).**

Response: Management, including inventory, tracking and correction of software is performed utilizing centralized software management and deployment tools. These tools are used by system administrators to ensure all software is kept up-to-date. Records that describe potential



vulnerabilities and the County's resolution of such risks are exempt from disclosure pursuant to Government Code sections 6254(aa), 6254.19 and 6255 and 2 Cal. Code. Reg. § 19064.

- 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).**

Response: Records that describe potential vulnerabilities and the County's resolution of such risks are exempt from disclosure pursuant to Government Code sections 6254(aa), 6254.19 and 6255 and 2 Cal. Code. Reg. § 19064.

- 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).**

Response: Records that describe potential vulnerabilities and the County's resolution of such risks are exempt from disclosure pursuant to Government Code sections 6254(aa), 6254.19 and 6255 and 2 Cal. Code. Reg. § 19064.

- 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.**

Response: This request seeks information security records that are exempt from disclosure pursuant to Government Code sections 6254(aa), 6254.19 and 6255 and 2 Cal. Code. Reg. § 19064.

- 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).**

Response: This request seeks information security records that are exempt from disclosure pursuant to Government Code sections 6254(aa), 6254.19 and 6255 and 2 Cal. Code. Reg. § 19064.

- 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.**

Response: The Registrar maintains wireless access points (WAP) in the ballot processing location but is not in possession of records it understands to be responsive to this request.

- 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.**

Response: The Registrar has determined that it possesses no records responsive to this request.

- 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: See Response to Request No. 12. The additional information requested regarding MAC addresses would create a security risk and is exempt from disclosure pursuant to Government Code sections 6254(aa), 6254.19 and 6255 and 2 Cal. Code. Reg. § 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).**

Response: This request seeks information consisting of security records that are exempt from disclosure pursuant to Government Code §§ 6254(aa), 6254.19 and 6255 and 2 Cal. Code. Reg. § 19064.

- 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.**

Response: This request seeks information consisting of security records that are exempt from disclosure pursuant to Government Code §§ 6254(aa), 6254.19 and 6255 and 2 Cal. Code. Reg. § 19064.

- 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.**

Response: This request seeks information consisting of security records that are exempt from disclosure pursuant to Government Code §§ 6254(aa), 6254.19 and 6255 and 2 Cal. Code. Reg. § 19064.

- 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.**



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Response: This request seeks information consisting of security records that are exempt from disclosure pursuant to Government Code §§ 6254(aa), 6254.19 and 6255 and 2 Cal. Code. Reg. § 19064.

- 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: This request seeks information consisting of security records that are exempt from disclosure pursuant to Government Code §§ 6254(aa), 6254.19 and 6255 and 2 Cal. Code. Reg. § 19064.

- 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.**

Response: This request seeks information security records that are exempt from disclosure pursuant to Government Code sections 6254(c), 6254(aa), 6254.19 and 6255 and 2 Cal. Code. Reg. § 19064.

- 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.**

Response: This request seeks information security records that are exempt from disclosure pursuant to Government Code sections 6254(c), 6254(aa), 6254.19 and 6255 and 2 Cal. Code. Reg. § 19064.

- 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: This request seeks information security records that are exempt from disclosure pursuant to Government Code sections 6254(c), 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.**

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

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- 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: Records identifying Registrar employees who have sign-on authorization are exempt from disclosure pursuant to Government Code sections 6254(c), 6254(k), 6254.19 and 6255, 2 Cal. Code. Reg. § 19064, and 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.**

Response: This request seeks information security records that are exempt from disclosure pursuant to Government Code sections 6254(aa), 6254.19 and 6255 and 2 Cal. Code. Reg. § 19064.

- 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.**

Response: This request seeks information security records that are exempt from disclosure pursuant to Government Code sections 6254(aa), 6254.19 and 6255 and 2 Cal. Code. Reg. § 19064.

- 26. Provide those documents or records reflecting the log monitoring tools used to send real-time alerts and notifications.**

Response: This request seeks information security records that are exempt from disclosure pursuant to Government Code sections 6254(aa), 6254.19 and 6255 and 2 Cal. Code. Reg. § 19064.

- 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.**

Response: This request seeks information security records that are exempt from disclosure pursuant to Government Code sections 6254(aa), 6254.19 and 6255 and 2 Cal. Code. Reg. § 19064.

- 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.**

Response: This request seeks information security records that are exempt from disclosure pursuant to Government Code sections 6254(c), 6254(aa), 6254.19 and 6255 and 2 Cal. Code. Reg. § 19064.



- 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.**

Response: This request seeks information security records that are exempt from disclosure pursuant to Government Code sections 6254(c), 6254(aa), 6254.19 and 6255 and 2 Cal. Code. Reg. § 19064.

- 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.**

Response: This request seeks information security records that are exempt from disclosure pursuant to Government Code sections 6254(c), 6254(aa), 6254.19 and 6255 and 2 Cal. Code. Reg. § 19064.

- 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: This request seeks information security records that are exempt from disclosure pursuant to Government Code sections 6254(c), 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.**

Response: The Registrar has determined that it possesses no records responsive to this request.

- 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.**

Response: The Registrar has determined that it possesses no records responsive to this request.

- 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.**

Response: The Registrar has determined that it possesses no records responsive to this request.

- 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: The Registrar has determined that it possesses no records responsive to this request.

**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 records, which will be made available 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 No. 36. The Registrar has determined that it possesses no records responsive to this request as the records referenced in the Registrar's response to Request No. 36 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 records, which will be made available 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 records, which will be made available 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.**

Response: See response No. 36. The Registrar processes the list of voters whose registrations are cancelled due to a felony conviction that is provided by the State and by the Shasta County Superior Court.

**41. All records reflecting searches of county death records between September 1, 2020, and November 10, 2020.**



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Response: See response No. 36. The Registrar processes the list of voters whose registrations are cancelled due to a notice of death that is provided by the State and by Shasta County Public Health.

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

Response: The Registrar has determined that it possesses no records responsive to this request.

**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: The Registrar has determined that without performing data compilation, extraction, or programming to produce a copy of a record with the requested data, it possesses no records responsive to this request. If you would like a copy of a record that requires data compilation, extraction, or programming to produce, please reply to confirm your request and our office will then provide you with an estimate of the cost of producing a copy of the record, including the cost to construct the record and cost of programming and computer services necessary to produce a copy of the record, pursuant to Government Code § 6253.9.

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

Response: This request is overbroad and fails to reasonably describe an identifiable record. Please narrow your request to reasonably describe an identifiable record. The County Clerk and Registrar of Voters/Election Department staff is available to assist you in formulating a focused and effective request that reasonably describes an identifiable record.

**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.**

Response: The Registrar has determined that it possesses no records responsive to this request.

**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: See response No. 45. In addition, the Registrar identified records that we understand to be responsive to this request. Please find the records attached.

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

Response: The Registrar has identified and attached responsive records.

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

Response: The Registrar has determined that it possesses no records responsive to this request.

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

Response: The Registrar has determined that it possesses no records responsive to this request. To the extent this request seeks production of the ballots themselves, such records are exempt from disclosure pursuant to Government Code sections 6254(k) and 6255, the California Constitution, article II, Section 7, and Elections Code sections 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: There are no responsive records, except for the ballots themselves, which are exempt from disclosure pursuant to Government Code sections 6254(k) and 6255, the California Constitution, article II, Section 7, and Elections Code sections 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 can produce reports voter registration data for inspection and duplication, but to the extent that this request seeks information regarding specific ballots, the ballots are exempt from disclosure pursuant to Government Code sections 6254(k) and 6255, the California Constitution, article II, Section 7, and Elections Code sections 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.**



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Response: This request is overbroad and fails to reasonably describe an identifiable record. Please narrow your request to reasonably describe an identifiable record. The Registrar's staff is available to assist you to make a focused and effective request that reasonably describes and identifiable record.

**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: This request is overbroad and fails to reasonably describe an identifiable record. Please narrow your request to reasonably describe an identifiable record. The Registrar's staff is available to assist you to make a focused and effective request that reasonably describes and identifiable record.

**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: This request is overbroad and fails to reasonably describe an identifiable record. Please narrow your request to reasonably describe an identifiable record. The Registrar's staff is available to assist you to make a focused and effective request that reasonably describes and identifiable record.

**55. All electronic documents containing the phrase "Image Cast Remote 5.10".**

Response: This request is overbroad and fails to reasonably describe an identifiable record. Please narrow your request to reasonably describe an identifiable record. The Registrar's staff is available to assist you to make a focused and effective request that reasonably describes and identifiable record.

**56. All electronic documents containing the phrase "Image Cast Remote 5.10A".**

Response: This request is overbroad and fails to reasonably describe an identifiable record. Please narrow your request to reasonably describe an identifiable record. The Registrar's staff is available to assist you to make a focused and effective request that reasonably describes and identifiable record.

**57. All electronic documents containing the phrase "Image Cast Remote 5.2".**

Response: This request is overbroad and fails to reasonably describe an identifiable record. Please narrow your request to reasonably describe an identifiable record. The Registrar's staff is available to assist you to make a focused and effective request that reasonably describes and identifiable record.

**58. All electronic documents containing the phrase "Suite 5.10A".**

Response: This request is overbroad and fails to reasonably describe an identifiable record. Please narrow your request to reasonably describe an identifiable record. The Registrar's staff is available to assist you to make a focused and effective request that reasonably describes and identifiable record.

**59. All electronic documents containing the phrase "Suite 5.10".**

Response: This request is overbroad and fails to reasonably describe an identifiable record. Please narrow your request to reasonably describe an identifiable record. The Registrar's staff is available to assist you to make a focused and effective request that reasonably describes and identifiable record.

**60. All electronic documents containing the phrase "Suite 5.2".**

Response: This request is overbroad and fails to reasonably describe an identifiable record. Please narrow your request to reasonably describe an identifiable record. The Registrar's staff is available to assist you to make a focused and effective request that reasonably describes and identifiable record.

**61. All electronic documents containing the phrase "ImageCast Evolution 5.10.9.3".**

Response: This request is overbroad and fails to reasonably describe an identifiable record. Please narrow your request to reasonably describe an identifiable record. The Registrar's staff is available to assist you to make a focused and effective request that reasonably describes and identifiable record.

**62. All electronic documents containing the phrase " ImageCast ICX 5.10.11.11.".**

Response: This request is overbroad and fails to reasonably describe an identifiable record. Please narrow your request to reasonably describe an identifiable record. The Registrar's staff is available to assist you to make a focused and effective request that reasonably describes and identifiable record.

**63. All electronic documents containing the phrase "Eric Coomer"**

Response: This request is overbroad and fails to reasonably describe an identifiable record. Please narrow your request to reasonably describe an identifiable record. The Registrar's staff is available to assist you to make a focused and effective request that reasonably describes and identifiable record.



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At this time, no fee is required pertaining to your above requests. However, please be advised that if more than two full hours of employee time are expended on a request, then the County charge a fee for the amount reasonably necessary to recover the cost of providing records. We trust that this response satisfies your request, but if it does not, please contact the undersigned and please note that additional time responding to your request may require payment of a fee pursuant to Shasta County Ordinance No. 755.

Regards,

A handwritten signature in blue ink that reads "Natalia K. Ebersole". The signature is written in a cursive style.

Natalia Ebersole  
Deputy County Counsel  
Shasta County