



A Tradition of Stewardship
A Commitment to Service

Assessor-Recorder-County Clerk
Election Division

1127 1st St Suite E Napa, CA 94559-2952

(707) 253-4321 Fax: (707) 253-4390

JOHN TUTEUR

REGISTRAR OF VOTERS

Dear Mr. McMillan:

Pursuant to California Public Records Act, please find below the response to your request dated April 6, 2021 to the Napa County Registrar of Voters, and received on April 6, 2021 via e-mail. This response is a follow up to the County's initial response of April 13, 2021 in which the County obtained an extension to April 30, 2021 to respond to your Public Records Act Request.

As a preliminary matter, please note that the Napa County Registrar of Voters ("ROV") maintains a website dedicated to elections, located at: <https://www.countyofnapa.org/396/Elections>, where a number of records potentially responsive to your request are located, free of charge.

Please note that requests are limited only to records maintained in the normal course of business by the County and records that are within the County's custody, control, and access. The County and ROV will not produce records that are privileged or otherwise exempt from disclosure pursuant to State and Federal laws, including exemptions identified in Gov. Code Section 6254, et seq., and additional exemptions specifically incorporated under Gov. Code Section 6254(k). This includes documents pertaining to pending litigation or claims, and documents protected by the attorney-client privilege, attorney work product, and official information privileges.

As noted below, several of your requests seek confidential voter registration information and voter history. Such records and information constitute confidential voter information data. (See Elections Code Sections 2188, 2194; Gov. Code Section 6254.4; Ca Code of Regs., Title 2, Section 19001 et. seq.). Pursuant to these statutes, you may apply to receive voter registration information and pay the applicable fee. The application has been uploaded to the response portion of your request.

Several of the requests regarding inspections and logs appear to seek records regarding the ROV's efforts to ensure that election results match voter selections reflected on paper ballots. The ROV provides extensive data and reports regarding the November 2020 election online for free on the Elections website. Additionally, some of your requests seek sensitive computer records such that disclosure of the record would reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on the Napa County Registrar of Voters and Napa County.

Below please find individual responses to the specific responses.

Request No.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 to Request No. 1: The ROV objects to this response to the extent that it is vague and overbroad in that it does not include a date range. Although your request generally refers to the November 3, 2020 election, this Request No.1 does not reference any particular election or date range. Notwithstanding the foregoing and without waiving these objections, the ROV assumes you are seeking information relating to the November 3, 2020 election, and responds as follows:

The ROV does not possess records that contain all of the information requested. However, the ROV will make available the Report of Registration Certifications which it completed for the 60 day and 15 day reports.

Request No. 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 to Request No. 2: The ROV has identified responsive documents. These records constitute confidential voter registration data, which requires an application and the payment of fees. (See Elections Code §§ 2188, 2194, Gov. Code §6254.4; 2 CCR §19001 et. seq.) Please note that the ROV will also need time to apply appropriate redactions prior to producing this information.

Request No. 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 to Request No. 3: The ROV has identified responsive documents. These records constitute confidential voter registration data, which requires an application and the payment of fees. (See Elections Code §§ 2188, 2194, Gov. Code §6254.4; 2 CCR §19001 et. seq.) Please note that the ROV will also need time to apply appropriate redactions prior to producing this information.

Request No. 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 Request No. 4: The ROV does not have existing documents that contain the requested information in summary form. A record of any responsive data retained by the ROV would have to be created through data extraction and programming pursuant to Section 6253.9 of the Government Code.

Additionally, the requested records constitute confidential voter registration data, which requires an application and the payment of fees. (See Elections Code §§ 2188, 2194, Gov. Code §6254.4; 2 CCR §19001 et. seq.) Upon receipt of an application, the ROV will calculate the applicable cost of data extraction and programming pursuant to Section 6253.9. Please note that the ROV will also need time to apply appropriate redactions prior to producing this information.

Request No. 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 Request No. 5: The ROV counted ballots at its central office 1127 First Street, Suite E, Napa, California, 94559.

Request No. 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 to Request No. 6: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Request No. 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 to Request No. 7: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on [the] information technology

system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Request No. 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 to Request No. 8: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Request No. 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 to Request No. 9: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Request No. 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 to Request No. 10: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Request No. 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 to Request No. 11: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Additionally, please also note the following information about the voting system equipment in the ballot tabulation room according to the July 9, 2020 Dominion Voting Systems Democracy Suite 5.10A Staff Report from the Secretary of State’s Office of Voting Systems Technology Assessment: “The system does not include modems, or telecommunications devices, and there is no provision for accessing external networks.”

See Staff report at:

<https://votingsystems.cdn.sos.ca.gov/vendors/dominion/ds510a/ds510a-staff.pdf>.

Request No. 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 to Request No. 12: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Additionally, please also note the following information about the voting system equipment in the ballot tabulation room according to the Staff Report from the Secretary of State’s Office of Voting Systems Technology Assessment: “The system does not include modems, or telecommunications devices, and there is no provision for accessing external networks.” *See Staff report at:* <https://votingsystems.cdn.sos.ca.gov/vendors/dominion/ds510a/ds510a-staff.pdf>.

Request No. 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 Request No. 13: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Additionally, please also note the following information about the voting system equipment in the ballot tabulation room according to the Staff Report from the Secretary of State’s Office of Voting Systems Technology Assessment: “The system does not

include modems, or telecommunications devices, and there is no provision for accessing external networks.” *See Staff report at:*

<https://votingsystems.cdn.sos.ca.gov/vendors/dominion/ds510a/ds510a-staff.pdf>.

Request No. 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 to Request No. 14: The ROV is identifying responsive records and will produce general policies and procedures that do not describe potential vulnerabilities or otherwise increase the potential for a cyberattack on the information technology system of Napa County. Additionally, given the overbroad nature of the request, the County may be in possession of other responsive records that describe potential vulnerabilities, or otherwise increase the potential for a cyberattack on the information technology system of Napa County. Such records are exempt from disclosure. (See Gov. Code §§6254.19, 6254(aa), and 6255; 2 CCR §19064(a).)

Request No. 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 to Request No. 15: The ROV is identifying responsive records and will produce general policies and procedures that do not describe potential vulnerabilities or otherwise increase the potential for a cyberattack on the information technology system of Napa County. Additionally, given the overbroad nature of the request, the County may be in possession of other responsive records that describe potential vulnerabilities, or otherwise increase the potential for a cyberattack on the information technology system of Napa County. Such records are exempt from disclosure. (See Gov. Code §§6254.19, 6254(aa), and 6255; 2 CCR §19064(a).)

Request No. 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 to Request No. 16: The ROV is identifying responsive records and will produce general policies and procedures that do not describe potential vulnerabilities or otherwise increase the potential for a cyberattack on the information technology system of Napa County. Additionally, given the overbroad nature of the request, the County may be in possession of other responsive records that describe potential vulnerabilities, or otherwise increase the potential for a cyberattack on the information technology system of Napa County. Such records are exempt from disclosure. (See Gov. Code §§6254.19, 6254(aa), and 6255; 2 CCR §19064(a).)

Request No. 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.”

Response to Request No. 17: The ROV is identifying responsive records and will produce general policies and procedures that do not describe potential vulnerabilities or otherwise increase the potential for a cyberattack on the information technology system of Napa County. Additionally, given the overbroad nature of the request, the County may be in possession of other responsive records that describe potential vulnerabilities, or otherwise increase the potential for a cyberattack on the information technology system of Napa County. Such records are exempt from disclosure. (See Gov. Code §§6254.19, 6254(aa), and 6255; 2 CCR §19064(a).)

Request No. 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 Request No. 18: The ROV is identifying responsive records and will produce general policies and procedures that do not describe potential vulnerabilities or otherwise increase the potential for a cyberattack on the information technology system of Napa County. Additionally, given the overbroad nature of the request, the County may be in possession of other responsive records that describe potential vulnerabilities, or otherwise increase the potential for a cyberattack on the information technology system of Napa County. Such records are exempt from disclosure. (See Gov. Code §§6254.19, 6254(aa), and 6255; 2 CCR §19064(a).)

Request No. 19: “Provide those documents reflecting the hardware and software system configurations of the Election Management Systems (“EMS”).

Response to Request No. 19: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Request No. 20: “Provide those documents reflecting the memory sticks and similar technology that contain software and/or data used in the November 2020 election.”

Response to Request No. 20: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Request No. 21: “Provide those documents reflecting the EMS operating system, adjudication, ranked choice voting, and election event designer logs.

Response to Request No. 21: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Request No. 22: “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 to Request No. 22: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Request No. 23: “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 to Request No. 23: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Request No. 24: “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 Request No. 24: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on [the] information technology

system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Request No. 25: “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 to Request No. 25: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Request No. 26: “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 Request No. 26: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Request No. 27: “Provide the log files for the county's EMS and election information system with entries between September 15, 2020 and December 1, 2020.”

Response to Request No. 27: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Request No. 28: “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 to Request No. 28: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise

increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Request No. 29: “Provide those documents or records reflecting memory sticks and similar technology that contain software and/or data used in the November 2020 election.”

Response to Request No. 29: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Request No. 30: “Provide those documents or records reflecting the log monitoring tools used to send real-time alerts and notifications.”

Response to Request No. 30: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Request No. 31: “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 to Request No. 31: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Request No. 32: “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 to Request No. 32: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or

otherwise increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Request No. 33: “Provide those documents or records reflecting Tabulator machine reports and error rate histories.”

Response to Request No. 33: The ROV objects to this response to the extent that it is vague and overbroad in that it does not include a date range. Although your request generally refers to the November 3, 2020 election, this Request No. 33 does not reference any particular election or date range. Notwithstanding the foregoing and without waiving these objections, the ROV assumes you are seeking information relating to the November 3, 2020 election, and responds as follows:

The ROV does not have existing documents that contain the requested information in summary form. A record of any responsive data retained by the ROV would have to be created through data extraction and programming pursuant to Section 6253.9 of the Government Code.

Request No. 34: “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 to Request No. 34: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Request No. 35: “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 to Request No. 35: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Request No. 36: “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 Request No. 36: To the extent the ROV has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise

increase the potential for a cyberattack on [the] information technology system” of Napa County. Accordingly, such records are exempt from disclosure and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), and 6255(a); 2 CCR §19064(a).)

Request No. 37: “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 to Request No. 37: The ROV identified no documents responsive to this request.

Request No. 38: 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 to Request No. 38: The ROV identified no documents responsive to this request.

Request No. 39: “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 to Request No. 39: The ROV identified no documents responsive to this request.

Request No. 40: “Provide those documents which reflect Native ballot scanned images.”

Response to Request No. 40: To the extent the ROV has potentially responsive records to this request, and notwithstanding the ambiguity of the term “Native” in your request, the production of any such records sought in this request are exempt from disclosure pursuant to law. (See, Cal. Const. art. 1, §1 and art. II, §7, Govt. Code § 6254(k), Elections Code §§ 2300(a)(4) and 3107(b), Evidence Code § 1050, and Elections Code §§ 15370 and 17301. See also *Citizens Oversight, Inc. v Vu* (2019) 35 Cal.App.5th 612.)

If we have misinterpreted the nature of this request, please let us know and we will attempt to assist you in identifying any non-exempt records that are responsive to the request pursuant to Government Code Section 6253.1(a).

Request No. 41: 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 Request No. 41: The ROV identified no documents responsive to this request.

Request No. 42: “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 to Request No. 42: The ROV does not have existing documents that contain the requested information in summary form. A record of any responsive data retained by the ROV would have to be created through data extraction and programming pursuant to Section 6253.9 of the Government Code. To the extent the information you are seeking constitutes Local Summary Criminal Information (Penal Code Sections 13300-13302), such information is exempt from disclosure and will not be disclosed. Further, such records may constitute confidential voter registration data, which requires an application and the payment of fees. (See Elections Code §§ 2188, 2194, Gov. Code §6254.4; 2 CCR §19001 et. seq.) Upon receipt of an application, the ROV will calculate the applicable cost of data extraction and programming pursuant to Section 6253.9. Please note that the ROV will also need time to apply appropriate redactions prior to producing this information.

Request No. 43: “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 to Request No. 43: Please see Response to Request No. 42 above. Please note that any responsive records do not identify whether the change in registration status is due to a state as opposed to a federal felony.

Request No. 44: “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 to Request No. 44: To the extent this request seeks reports of death records, such records constitute confidential voter registration information, which requires an application and the payment of fees. (See Elections Code §§ 2188, 2194, Gov. Code §6254.4; 2 CCR §19001 et. seq.) Please note that the ROV will also need time to apply appropriate redactions prior to producing this information.

REQUEST 45: “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 to Request No. 45: The ROV has identified responsive documents. These records constitute confidential voter registration data, which requires an application and the payment of fees. (See Elections Code §§ 2188, 2194, Gov. Code

§6254.4; 2 CCR §19001 et. seq.) Please note the ROV will also need time to apply appropriate redactions prior to producing this information.

REQUEST 46: “All records reflecting searches of county felony records between September 1, 2020, and November 10, 2020.”

Response to Request No. 46: See Response to Request No. 42.

REQUEST 47: “All records reflecting searches of county death records between September 1, 2020, and November 10, 2020.”

Response to Request No. 47: See Response to Request No. 44

Request No. 48: “All records reflecting county searches of DMV Change of Address (DMV COA) between September 1, 2020, and November 10, 2020.”

Response to Request No. 48: The ROV identified no documents responsive to this request.

Request No. 49: “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 to Request No. 49: See Response to Request No. 4

Request No. 50: “Those documents reflecting the dates of certifications of information provided to the Secretary of State according to 2 CCR § 19086(b).”

Response to Request No. 50: The ROV has responsive records, attached.

Request No. 51: “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 to Request No. 51: The ROV identified no documents responsive to this request. The extract was done on September 11, 2020 at 4:10 p.m.

Request No. 52: 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 Request No. 52: The ROV does not possess records responsive to this request.

Request No. 53: “All certifications executed by any county election official for the November 3, 2020 General Election.”

Response to Request No. 53: The ROV possesses records responsive to this request. Please see attached the Certified Results of the November 3, 2020 General Election

General Requests

Request No. 54: “The number of ballots determined by the county through adjudication for the November 3, 2020 election.”

Response to Request No. 54: The ROV identified no documents responsive to this request. Further, to the extent this request seeks copies of voted ballots, voted ballots are exempt from disclosure under the Public Records Act and will not be disclosed. (See Gov. Code §§ 6254(k) and 6255(a); Elec. Code §§ 2300(a)(4), 15370, 15630, 17301 and 17302; *Citizens Oversight, Inc. v. Vu*, 35 Cal. App. 5th 612 (2019); Cal. Const. Art. II, Sec. 7.

Request No. 55: “All ballots duplicated by the county through adjudication for the November 3, 2020 election.”

Response to Request No. 55: Voted ballots and/or duplicates of voted ballots are exempt from disclosure under the Public Records Act and will not be disclosed. (See Gov. Code §§ 6254(k) and 6255(a); Elec. Code §§ 2300(a)(4), 15370, 15630, 17301 and 17302; *Citizens Oversight, Inc. v. Vu*, 35 Cal. App. 5th 612 (2019); Cal. Const. Art. II, Sec.7.

Request No. 56: “Those documents that identify the records of ballots duplicated for the November 3, 2020 election.”

Response to Request No. 56: The ROV has not identified any records responsive to this requests. To the extent this request seeks ballots, voted ballots and/or duplicates of voted ballots

are exempt from disclosure under the Public Records Act and will not be disclosed. (See Gov. Code §§ 6254(k) and 6255(a); Elec. Code §§ 2300(a)(4), 15370, 15630, 17301 and 17302; *Citizens Oversight, Inc. v. Vu*, 35 Cal. App. 5th 612 (2019); Cal. Const. Art. II, Sec.7.

Request No. 57: “Those documents that identify the records of ballots adjudicated for the November 3, 2020 election.”

Response to Request No. 57: The ROV identified no documents responsive to this request. To the extent this request seeks ballots, voted ballots and/or duplicates of voted ballots are exempt from disclosure under the Public Records Act and will not be disclosed. (See Gov. Code §§ 6254(k) and 6255(a); Elec. Code §§ 2300(a)(4), 15370, 15630, 17301 and 17302; *Citizens Oversight, Inc. v. Vu*, 35 Cal. App. 5th 612 (2019); Cal. Const. Art. II, Sec.7.

Request No. 58: “Those documents that identify the records of changes to ballots made for the November 3, 2020 election.”

Response to Request No. 58: The ROV identified no documents responsive to this request. To the extent this request seeks ballots, voted ballots and/or duplicates of voted ballots are exempt from disclosure under the Public Records Act and will not be disclosed. (See Gov. Code §§ 6254(k) and 6255(a); Elec. Code §§ 2300(a)(4), 15370, 15630, 17301 and 17302; *Citizens Oversight, Inc. v. Vu*, 35 Cal. App. 5th 612 (2019); Cal. Const. Art. II, Sec.7.

Request No. 59: “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 to Request No. 59: The ROV has identified responsive documents and expects it will take until May 31, 2021 to make them available.

Request No. 60: “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 to Request No. 60: The ROV possesses records responsive to this request. See attached approval letter.

Request No. 61: All electronic documents containing the phrase “Image Cast Remote 5.10.”

Response to Request No. 61: The ROV possesses records responsive to this request. See attached contract

Request No. 62: “All electronic documents containing the phrase “Image Cast Remote 5.10A.” ”

Response to Request No. 62: The ROV possesses records responsive to this request. See attached contract

Request No. 63: “All electronic documents containing the phrase “Image Cast Remote 5.2.” ”

Response to Request No. 63: The ROV possesses records responsive to this request. See attached contract

Request No. 64: “All electronic documents containing the phrase ‘Suite 5.10A’.”

Response to Request No. 64: The ROV possesses records responsive to this request. See attached contract

Request No. 65: “All electronic documents containing the phrase “Suite 5.10’.”

Response to Request No. 65: The ROV possesses records responsive to this request. See attached contract.

Request No. 66: “All electronic documents containing the phrase ‘Suite 5.2’.”

Response to Request No. 66: The ROV possesses records responsive to this request. See attached contract.

Request No. 67: “All electronic documents containing the phrase ‘Image Cast Evolution 5.10.9.3’.”

Response to Request No. 67: The ROV identified no documents responsive to this request.

Request No. 68: “All electronic documents containing the phrase ‘Image Cast ICX 5.10.11.11.’.”

Response to Request No. 68: The ROV possesses records responsive to this request. See attached contract and training manual.

Request No. 69: “All electronic documents containing the phrase ‘Eric Coomer’”

Response to Request No. 69: The ROV identified no documents responsive to this request.

CONFIDENTIAL- DRAFT