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**Re: Public Records Act Request**

Dear Mr. McMillan:

This letter follows up on my letter of April 15, 2021, in which the County of Sacramento Department of Voter Registration and Elections (“Department”) extended the due date of its response to your California Public Records Act request (“PRA Request”) until May 7, 2021.

By this letter, the Department provides its response to your PRA Request dated April 7, 2021. In your PRA Request, you have requested the production of a large number of records regarding the November 3, 2020 general election. The Department provides records relating to the November 3, 2020 general election on the County’s website for free at the following link: [www.elections.saccounty.net](http://www.elections.saccounty.net). You may also access information relating to the Dominion Voting Systems on the California Secretary of State’s website at the following link: [Dominion Voting: California Secretary of State](#)

As noted below, several of your requests seek confidential voter registration information, including voter history. To receive this information, Elections Code sections 2188 and 2194, as well as the Code of Regulations, title 2, section 19001 *et seq.*, require you and/or your client to first complete and duly execute a Voter Information/Data Application (“Application”) which is available on the Department’s website at the following link: [Application to Access Voter Registration Information.pdf \(saccounty.net\)](#). The Department will require a clear photocopy of you and/or your client’s valid, government-issued phot identification to be submitted along with the completed Application. The Department will review the completed Application upon receipt to determine if you and/or your client qualify for the requested records pursuant to Elections Code section 2194, and the Department will advise of the fee to purchase the confidential voter registration information. Completed Applications may be returned to the Department at the following address: [Voters-CampaignServices@saccounty.net](mailto:Voters-CampaignServices@saccounty.net).

In the event that any of your requests seek confidential voter registration information or other information for which the Department does not have an existing record, the Department can extract and compile data to construct a record that it does not otherwise generate or maintain in the ordinary course of business pursuant to Section 6253.9 of the Government Code. This will require the payment of the costs of the computer services for extracting and compiling the responsive data into a custom report. Please advise if you would like to pursue this possibility for any of the applicable requests described in the responses below.

The Department also notes that several of the requests cite to California Code of Regulations, title 2, section 19064(c), which relates to the requirement of counties to “complete a security assessment of its elections information system prior to a statewide primary election,” but seeks records for a specified date range after the statewide primary election, which occurred on March 3, 2020.

**Demand for Production of Public Records 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 Production of Public Records No. 1:**

This request does not include a specified date range. The Department assumes this request relates to the November 3, 2020 general election. If this is not correct, please clarify.

The Department does not have existing records that contain the requested information. A record of any responsive data retained by the Department would have to be created through data extraction and programming pursuant to Section 6253.9 of the Government Code. Further, such records may constitute confidential voter registration data, which requires an Application and the payment of fees. (See Gov. Code § 6254.4; Elec. Code §§ 2188, 2194; 2 CCR § 19001 *et seq.*) Upon receipt of an Application, the Department can calculate the applicable cost of data extraction and programming pursuant to Section 6253.9. Please note the Department will also need time to apply appropriate redactions prior to producing this information.

**Demand for Production of Public Records 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 Production of Public Records No. 2:**

This request does not include a specified date range. The Department assumes this request relates to the November 3, 2020 general election. If this is not correct, please clarify.

The Department does not have existing records that contain the requested information. A record of any responsive data retained by the Department would have to be created through data extraction and programming pursuant to Section 6253.9 of the Government Code. Further, such records may constitute confidential voter registration data, which requires an Application and the payment of fees. (See Gov. Code § 6254.4; Elec. Code §§ 2188, 2194; 2 CCR § 19001 *et seq.*) Upon receipt of an Application, the Department can calculate the applicable cost of data extraction and programming pursuant to Section 6253.9. Please note the Department will also need time to apply appropriate redactions prior to producing this information.

**Demand for Production of Public Records 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 Production of Public Records No. 3:**

The Department has identified responsive records. These records constitute confidential voter registration data, which requires an Application and the payment of fees. (See Gov. Code § 6254.4; Elec. Code §§ 2188, 2194; 2 CCR § 19001 *et seq.*) Upon receipt of an Application, the Department can calculate the applicable cost of data extraction and programming pursuant to Section 6253.9. Please note the Department will also need time to apply appropriate redactions prior to producing this information.

**Demand for Production of Public Records 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 Production of Public Records No. 4:**

The Department does not have existing records that contain the requested information. A record of any responsive data retained by the Department would have to be created through data extraction and programming pursuant to Section 6253.9 of the Government Code. Further, such records may constitute confidential voter registration data, which requires an Application and the payment of fees. (See Gov. Code § 6254.4; Elec. Code §§ 2188, 2194; 2 CCR § 19001 *et seq.*) Upon receipt of an Application, the Department can calculate the applicable cost of data extraction and programming pursuant to Section 6253.9. Please note the Department will also need time to apply appropriate redactions prior to producing this information.

**Demand for Production of Public Records 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 Production of Public Records No. 5:**

All ballots counted for Sacramento County voters were counted at the Department's main office, located at 7000 65<sup>th</sup> Street, Suite A, Sacramento, California.

**Demand for Production of Public Records 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 Production of Public Records No. 6:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would "reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system" of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

**Demand for Production of Public Records 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 Production of Public Records No. 7:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would "reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system" of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

**Demand for Production of Public Records 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 Production of Public Records No. 8:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system” of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

**Demand for Production of Public Records 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 Production of Public Records No. 9:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system” of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

**Demand for Production of Public Records 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 Production of Public Records No. 10:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system” of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

**Demand for Production of Public Records 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 Production of Public Records No. 11:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology

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

**Demand for Production of Public Records 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 Production of Public Records No. 12:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system” of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

**Demand for Production of Public Records 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 Production of Public Records No. 13:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system” of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

**Demand for Production of Public Records 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)(1 9).

**Response to Production of Public Records No. 14:**

The Department is identifying responsive records and will produce general policies and procedures that do not describe potential vulnerabilities or otherwise increase the potential for an attack on the information technology system associated with the Department and the County of Sacramento.

Additionally, given the overbroad nature of this request, the County may be in possession of other responsive records that describe potential vulnerabilities, or otherwise increase the potential for an attack on the information technology system associated with the Department and the County of Sacramento. As such

the Department asserts that such records are exempt from disclosure pursuant to Government Code sections 6254.19, 6254(aa), and 6255 and California Code of Regulations, title 2, section 19064.

**Demand for Production of Public Records 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 Production of Public Records No. 15:**

The Department is identifying responsive records and will produce general policies and procedures that do not describe potential vulnerabilities or otherwise increase the potential for an attack on the information technology system associated with the Department and the County of Sacramento.

Additionally, given the overbroad nature of this request, the County may be in possession of other responsive records that describe potential vulnerabilities, or otherwise increase the potential for an attack on the information technology system associated with the Department and the County of Sacramento. As such the Department asserts that such records are exempt from disclosure pursuant to Government Code sections 6254.19, 6254(aa), and 6255 and California Code of Regulations, title 2, section 19064.

**Demand for Production of Public Records 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 Production of Public Records No. 16:**

The Department is identifying responsive records and will produce general policies and procedures that do not describe potential vulnerabilities or otherwise increase the potential for an attack on the information technology system associated with the Department and the County of Sacramento.

Additionally, given the overbroad nature of this request, the County may be in possession of other responsive records that describe potential vulnerabilities, or otherwise increase the potential for an attack on the information technology system associated with the Department and the County of Sacramento. As such the Department asserts that such records are exempt from disclosure pursuant to Government Code sections 6254.19, 6254(aa), and 6255 and California Code of Regulations, title 2, section 19064.

**Demand for Production of Public Records 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 Production of Public Records No. 17:**

The Department is identifying responsive records and will produce general policies and procedures that do not describe potential vulnerabilities or otherwise increase the potential for an attack on the information technology system associated with the Department and the County of Sacramento.

Additionally, given the overbroad nature of this request, the County may be in possession of other responsive records that describe potential vulnerabilities, or otherwise increase the potential for an attack on the information technology system associated with the Department and the County of Sacramento. As such the Department asserts that such records are exempt from disclosure pursuant to Government Code sections 6254.19, 6254(aa), and 6255 and California Code of Regulations, title 2, section 19064.

**Demand for Production of Public Records 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 Production of Public Records No. 18:**

The Department is identifying responsive records and will produce general policies and procedures that do not describe potential vulnerabilities or otherwise increase the potential for an attack on the information technology system associated with the Department and the County of Sacramento.

Additionally, given the overbroad nature of this request, the County may be in possession of other responsive records that describe potential vulnerabilities, or otherwise increase the potential for an attack on the information technology system associated with the Department and the County of Sacramento. As such the Department asserts that such records are exempt from disclosure pursuant to Government Code sections 6254.19, 6254(aa), and 6255 and California Code of Regulations, title 2, section 19064.

**Demand for Production of Public Records No. 19:**

Provide those documents reflecting the hardware and software system configurations of the Election Management System ("EMS").

**Response to Production of Public Records No. 19:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would "reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system" of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)



**Demand for Production of Public Records 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 Production of Public Records No. 20:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system” of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

**Demand for Production of Public Records No. 21:**

Provide those documents reflecting the EMS operating system, adjudication, ranked choice voting, and election event designer logs.

**Response to Production of Public Records No. 21:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system” of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

The EMS California Use Procedures that reflect the operations system, adjudication, and election event designer logs are available on the Secretary of State’s website.

**Demand for Production of Public Records 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 Production of Public Records No. 22:**

The Department has identified no responsive records to this request. Further, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system” of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

**Demand for Production of Public Records 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 Production of Public Records No. 23:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system” of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

**Demand for Production of Public Records 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 Production of Public Records No. 24:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system” of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

**Demand for Production of Public Records 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 Production of Public Records No. 25:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system” of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

**Demand for Production of Public Records 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 Production of Public Records No. 26:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system” of the County. (Gov. Code § 6254.19.) Accordingly, any such records

are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

**Demand for Production of Public Records 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 Production of Public Records No. 27:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would "reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system" of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

**Demand for Production of Public Records 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 Production of Public Records No. 28:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would "reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system" of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

**Demand for Production of Public Records 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 Production of Public Records No. 29:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would "reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system" of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

**Demand for Production of Public Records No. 30:**

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

**Response to Production of Public Records No. 30:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system” of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

**Demand for Production of Public Records 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 Production of Public Records No. 31:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system” of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

**Demand for Production of Public Records 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 Production of Public Records No. 32:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would “reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system” of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

**Demand for Production of Public Records No. 33:**

Provide those documents or records reflecting Tabulator machine reports and error rate histories/logs.

**Response to Production of Public Records No. 33:**

The Department can provide the checklist completed for Logic and Accuracy testing. Please note that the Department will need additional time to apply appropriate redactions prior to producing this information.

**Demand for Production of Public Records 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 Production of Public Records No. 34:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would "reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system" of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

**Demand for Production of Public Records 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 Production of Public Records No. 35:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would "reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system" of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

**Demand for Production of Public Records 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 Production of Public Records No. 36:**

To the extent that the Department has potentially responsive records to this request, the production of any such records would "reveal vulnerabilities to, or otherwise increase the potential for an attack on [the] information technology system" of the County. (Gov. Code § 6254.19.) Accordingly, any such records are exempt from production and will not be produced. (See Gov. Code §§ 6254.19, 6254(aa), 6255(a); 2 CCR § 19064(a).)

**Demand for Production of Public Records 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 Production of Public Records No. 37:**

The Department has identified no responsive records to this request.

**Demand for Production of Public Records 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 Production of Public Records No. 38:**

The Department has identified no responsive records to this request.

**Demand for Production of Public Records 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 Production of Public Records No. 39:**

The Department has identified no responsive records to this request.

**Demand for Production of Public Records No. 40:**

Provide those documents which reflect Native ballot scanned images.

**Response to Production of Public Records No. 40:**

The use of the term "Native" is unclear and ambiguous. Please clarify.

**Demand for Production of Public Records 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 Production of Public Records No. 41:**

The Department has identified no responsive records to this request.

**Demand for Production of Public Records 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 Production of Public Records No. 42:**

The Department does not have existing records that contain the requested information. A record of any responsive data retained by the Department would

have to be created through data extraction and programming pursuant to Section 6253.9 of the Government Code. Further, such records may constitute confidential voter registration data, which requires an Application and the payment of fees. (See Gov. Code § 6254.4; Elec. Code §§ 2188, 2194; 2 CCR § 19001 *et seq.*) Upon receipt of an Application, the Department can calculate the applicable cost of data extraction and programming pursuant to Section 6253.9. Please note the Department will also need time to apply appropriate redactions prior to producing this information.

To the extent this request seeks reports of felony convictions during the requested time frame, such records constitute confidential voter registration data, which requires an Application and the payment of fees. (See Gov. Code § 6254.4; Elec. Code §§ 2188, 2194; 2 CCR § 19001 *et seq.*) Upon receipt of an Application, the Department can calculate the applicable cost of data extraction and programming pursuant to Section 6253.9. Please note the Department will also need time to apply appropriate redactions prior to producing this information.

**Demand for Production of Public Records 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 Production of Public Records No. 43:**

See response to No. 42 above and note that the responsive records would not distinguish between felony status and “federal” felony status.

**Demand for Production of Public Records 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 Production of Public Records No. 44:**

The Department does not have existing records that contain the requested information. A record of any responsive data retained by the Department would have to be created through data extraction and programming pursuant to Section 6253.9 of the Government Code. Further, such records may constitute confidential voter registration data, which requires an Application and the payment of fees. (See Gov. Code § 6254.4; Elec. Code §§ 2188, 2194; 2 CCR § 19001 *et seq.*) Upon receipt of an Application, the Department can calculate the applicable cost of data extraction and programming pursuant to Section 6253.9. Please note the Department will also need time to apply appropriate redactions prior to producing this information.

To the extent this request seeks reports of death records during the requested time frame, such records constitute confidential voter registration data, which requires an Application and the payment of fees. (See Gov. Code § 6254.4; Elec. Code §§ 2188, 2194; 2 CCR § 19001 *et seq.*) Upon receipt of an Application, the Department can calculate the applicable cost of data extraction and programming

pursuant to Section 6253.9. Please note the Department will also need time to apply appropriate redactions prior to producing this information.

**Demand for Production of Public Records No. 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 Production of Public Records No. 45:**

The Department has identified responsive records. These records constitute confidential voter registration data, which requires an Application and the payment of fees. (See Gov. Code § 6254.4; Elec. Code §§ 2188, 2194; 2 CCR § 19001 *et seq.*) Upon receipt of an Application, the Department can calculate the applicable cost of data extraction and programming pursuant to Section 6253.9. Please note the Department will also need time to apply appropriate redactions prior to producing this information.

**Demand for Production of Public Records No. 46:**

All records reflecting searches of county felony records between September 1, 2020, and November 10, 2020.

**Response to Production of Public Records No. 46:**

The Department has identified no responsive records.

**Demand for Production of Public Records No. 47:**

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

**Response to Production of Public Records No. 47:**

The Department does not have existing records that contain the requested information. A record of any responsive data retained by the Department would have to be created through data extraction and programming pursuant to Section 6253.9 of the Government Code. Further, such records may constitute confidential voter registration data, which requires an Application and the payment of fees. (See Gov. Code § 6254.4; Elec. Code §§ 2188, 2194; 2 CCR § 19001 *et seq.*) Upon receipt of an Application, the Department can calculate the applicable cost of data extraction and programming pursuant to Section 6253.9. Please note the Department will also need time to apply appropriate redactions prior to producing this information.

To the extent this request seeks reports of death records during the requested time frame, such records constitute confidential voter registration data, which requires an Application and the payment of fees. (See Gov. Code § 6254.4; Elec. Code §§ 2188, 2194; 2 CCR § 19001 *et seq.*) Upon receipt of an Application, the Department can calculate the applicable cost of data extraction and programming pursuant to Section 6253.9. Please note the Department will also need time to apply appropriate redactions prior to producing this information.



**Demand for Production of Public Records No. 48:**

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

**Response to Production of Public Records No. 48:**

The Department has identified no responsive records.

**Demand for Production of Public Records 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 Production of Public Records No. 49:**

The Department does not have existing records that contain the requested information. A record of any responsive data retained by the Department would have to be created through data extraction and programming pursuant to Section 6253.9 of the Government Code. Further, such records may constitute confidential voter registration data, which requires an Application and the payment of fees. (See Gov. Code § 6254.4; Elec. Code §§ 2188, 2194; 2 CCR § 19001 *et seq.*) Upon receipt of an Application, the Department can calculate the applicable cost of data extraction and programming pursuant to Section 6253.9. Please note the Department will also need time to apply appropriate redactions prior to producing this information.

**Demand for Production of Public Records 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 Production of Public Records No. 50:**

The Department has identified responsive records, which will be produced.

**Demand for Production of Public Records 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 Production of Public Records No. 51:**

The Department has identified no responsive records to this request. The County of Sacramento does not use paper rosters.

**Demand for Production of Public Records 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 Production of Public Records No. 52:**

The Department has identified no responsive records to this request. The County of Sacramento does not use paper rosters.

**Demand for Production of Public Records No. 53:**

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

**Response to Production of Public Records No. 53:**

The Department has identified responsive records, which will be produced.

**Demand for Production of Public Records No. 54:**

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

**Response to Production of Public Records No. 54:**

To the extent this request seeks production of the ballots themselves, such records are exempt from disclosure under the Public Records Act and will not be disclosed. (See Gov. Code §§ 6254(k), 6255(a); Elec. Code §§ 2300(a)(4), 15370, 15630, 17301, 7302; *Citizens Oversight, Inc. v. Vu* (2019) 35 Cal.App.5th 612; Cal. Const. art II, sec. 7.)

**Demand for Production of Public Records No. 55:**

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

**Response to Production of Public Records No. 55:**

The Department has identified responsive records which will be produced.

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, 15360, and 17302.

**Demand for Production of Public Records No. 56:**

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

**Response to Production of Public Records No. 56:**

The Department has located responsive records, which will be produced.

**Demand for Production of Public Records No. 57:**

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

**Response to Production of Public Records No. 57:**

The only responsive documents are the ballots which are exempt. 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), 6255(a); Elec. Code §§ 2300(a)(4), 15370, 15360, 17301, 17302; *Citizens Oversight, Inc. v. Vu* (2019) 35 Cal.App.5<sup>th</sup> 612; Cal. Const. art. II, § 7.)

**Demand for Production of Public Records No. 58:**

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

**Response to Production of Public Records No. 58:**

The only responsive documents are the ballots which are exempt. 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), 6255(a); Elec. Code §§ 2300(a)(4), 15370, 15360, 17301, 17302; *Citizens Oversight, Inc. v. Vu* (2019) 35 Cal.App.5<sup>th</sup> 612; Cal. Const. art. II, § 7.)

**Demand for Production of Public Records 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 Production of Public Records No. 59:**

The Department has identified responsive records and will produce said records that: (1) do not describe potential vulnerabilities, or otherwise increase the potential for an attack on the information technology system associated with the Department and the County of Sacramento; (2) reveal information that would violate the official information privilege, the trade secret privilege or the public interest exemption regarding proprietary business information as set forth in *San Gabriel Tribune v. Superior Court* (1983) 143 Cal.App.3d 762.

**Demand for Production of Public Records 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, 2019 through December 10, 2020.

**Response to Production of Public Records No. 60:**

The Department has identified responsive records and will produce said records that: (1) do not describe potential vulnerabilities, or otherwise increase the potential for an attack on the information technology system associated with the Department and the County of Sacramento; (2) reveal information that would violate the official information privilege, the trade secret privilege or the public interest exemption regarding proprietary business information as set forth in *San Gabriel Tribune v. Superior Court* (1983) 143 Cal.App.3d 762.

**Demand for Production of Public Records No. 61:**

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

**Response to Production of Public Records No. 61:**

This request does not include a specified date range. The Department assumes this request relates to records regarding the November 3, 2020 general election. If this is not correct, please clarify.

The Department has identified responsive records and will produce said records that: (1) do not describe potential vulnerabilities, or otherwise increase the potential for an attack on the information technology system associated with the Department and the County of Sacramento; (2) reveal information that would violate the official information privilege, the trade secret privilege or the public interest exemption regarding proprietary business information as set forth in *San Gabriel Tribune v. Superior Court* (1983) 143 Cal.App.3d 762.

**Demand for Production of Public Records No. 62:**

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

**Response to Production of Public Records No. 62:**

This request does not include a specified date range. The Department assumes this request relates to records regarding the November 3, 2020 general election. If this is not correct, please clarify.

The Department has identified responsive records and will produce said records that: (1) do not describe potential vulnerabilities, or otherwise increase the potential for an attack on the information technology system associated with the Department and the County of Sacramento; (2) reveal information that would violate the official information privilege, the trade secret privilege or the public interest exemption regarding proprietary business information as set forth in *San Gabriel Tribune v. Superior Court* (1983) 143 Cal.App.3d 762.

**Demand for Production of Public Records No. 63:**

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

**Response to Production of Public Records No. 63:**

This request does not include a specified date range. The Department assumes this request relates to records regarding the November 3, 2020 general election. If this is not correct, please clarify.

The Department has identified responsive records and will produce said records that: (1) do not describe potential vulnerabilities, or otherwise increase the potential for an attack on the information technology system associated with the Department and the County of Sacramento; (2) reveal information that would violate the official information privilege, the trade secret privilege or the public interest exemption regarding proprietary business information as set forth in *San Gabriel Tribune v. Superior Court* (1983) 143 Cal.App.3d 762.

**Demand for Production of Public Records No. 64:**

All electronic documents containing the phrase "Suite 5.IOA".

**Response to Production of Public Records No. 64:**

This request does not include a specified date range. The Department assumes this request relates to records regarding the November 3, 2020 general election. If this is not correct, please clarify.

The Department has identified responsive records and will produce said records that: (1) do not describe potential vulnerabilities, or otherwise increase the potential for an attack on the information technology system associated with the Department and the County of Sacramento; (2) reveal information that would violate the official information privilege, the trade secret privilege or the public interest exemption regarding proprietary business information as set forth in *San Gabriel Tribune v. Superior Court* (1983) 143 Cal.App.3d 762.

**Demand for Production of Public Records No. 65:**

All electronic documents containing the phrase "Suite 5.10".

**Response to Production of Public Records No. 65:**

This request does not include a specified date range. The Department assumes this request relates to records regarding the November 3, 2020 general election. If this is not correct, please clarify.

The Department has identified responsive records and will produce said records that: (1) do not describe potential vulnerabilities, or otherwise increase the potential for an attack on the information technology system associated with the Department and the County of Sacramento; (2) reveal information that would violate the official information privilege, the trade secret privilege or the public interest exemption regarding proprietary business information as set forth in *San Gabriel Tribune v. Superior Court* (1983) 143 Cal.App.3d 762.

**Demand for Production of Public Records No. 66:**

All electronic documents containing the phrase "Suite 5.2".

**Response to Production of Public Records No. 66:**

This request does not include a specified date range. The Department assumes this request relates to records regarding the November 3, 2020 general election. If this is not correct, please clarify.

The Department has identified responsive records and will produce said records that: (1) do not describe potential vulnerabilities, or otherwise increase the potential for an attack on the information technology system associated with the Department and the County of Sacramento; (2) reveal information that would violate the official information privilege, the trade secret privilege or the public interest exemption regarding proprietary business information as set forth in *San Gabriel Tribune v. Superior Court* (1983) 143 Cal.App.3d 762.

**Demand for Production of Public Records No. 67:**

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

**Response to Production of Public Records No. 67:**

This request does not include a specified date range. The Department assumes this request relates to records regarding the November 3, 2020 general election. If this is not correct, please clarify.

The Department has identified responsive records and will produce said records that: (1) do not describe potential vulnerabilities, or otherwise increase the potential for an attack on the information technology system associated with the Department and the County of Sacramento; (2) reveal information that would violate the official information privilege, the trade secret privilege or the public interest exemption regarding proprietary business information as set forth in *San Gabriel Tribune v. Superior Court* (1983) 143 Cal.App.3d 762.

**Demand for Production of Public Records No. 68:**

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

**Response to Production of Public Records No. 68:**

This request does not include a specified date range. The Department assumes this request relates to records regarding the November 3, 2020 general election. If this is not correct, please clarify.

The Department has identified responsive records and will produce said records that: (1) do not describe potential vulnerabilities, or otherwise increase the potential for an attack on the information technology system associated with the Department and the County of Sacramento; (2) reveal information that would violate the official information privilege, the trade secret privilege or the public

interest exemption regarding proprietary business information as set forth in *San Gabriel Tribune v. Superior Court* (1983) 143 Cal.App.3d 762.

**Demand for Production of Public Records No. 69:**

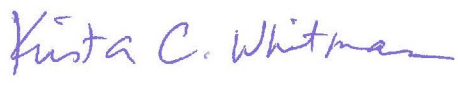
All electronic documents containing the phrase "Eric Coomer"

**Response to Production of Public Records No. 69:**

The Department has identified no responsive records to this request.

Sincerely,

LISA A. TRAVIS  
County Counsel

By:   
\_\_\_\_\_  
Krista C. Whitman  
Assistant County Counsel

cc: Courtney Bailey