

Administration
925-335-7899
925-335-7893 fax

Contra Costa County
Clerk-Recorder-Elections Department

555 Escobar Street
Martinez, CA 94553

Deborah Cooper
County Clerk-Recorder
and Registrar of Voters



April 30, 2021

Via email: scott@mcmillanlaw.us

RE: Your Public Records Act Request received on April 6, 2021

Dear Scott A. McMillan:

We are in receipt of the Public Records Act request, received on April 6, 2021, seeking 69 categories of records related to the General Election, November 3, 2020. Please see responses to your request below.

Sincerely,

A handwritten signature in cursive script that reads "Debi Cooper".

Debi Cooper
Clerk-Recorder and Registrar of Voters Contra Costa County

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.

Contra Costa Elections has not located documents that are responsive to this request.

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.

Contra Costa Elections has not located documents that are responsive to this request.

2 CCR § 19061. Immediate Action Required.

Unless otherwise provided in state or federal statute, state or federal regulation, or a binding court decision, if a county elections official receives notification from a voter, the Secretary of State, another county, or a court requesting or directing a modification to a voter's registration record, the county elections official shall immediately take all reasonable actions to apply the modification or research and resolve the notification, including but not limited to, reviewing registration and voting history, reviewing source documents, matching signatures, or contacting the voter directly. The notification shall be resolved no later than five (5) business days from receipt by the county elections official. The modification shall not be effective until the county elections official has submitted the update to the statewide voter registration system.

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.

Contra Costa Elections has identified responsive documents. These records constitute confidential voter registration information, 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 (find application attached), Contra Costa Elections will need time to apply appropriate redactions prior to producing this information.

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.

2 CCR § 19064. County Security.

(c) Each county shall complete a security assessment of its election information system prior to a statewide primary election. The security assessment shall evaluate the:

** * **

(2) Active management (inventory, tracking, and correction) of all software on the network so that only authorized software is installed and can execute, and unauthorized

and unmanaged software is found and prevented from installation or execution.

Contra Costa Elections has not located documents that are responsive to this request. Contra Costa Elections may be able to extract this information through data extraction, compilation or programming. Please let us know if you wish to have this data extracted and compiled so that we may estimate the amount of costs associated thereto. Additionally, the extraction and compilation of data can be prepared and made available for review and duplication once the Contra Costa Elections receives a completed application for voter registration data and fee pursuant to 2 CCR Section 19001, et seq.

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

Please find attached documents, "NoticeCentralCountPublication110320" and "Nov03_2020_Publication_NoticePollingPlace."

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).

(3) Establishment, implementation, and 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.

Contra Costa Elections has not located documents that are responsive to this request.

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).

2 CCR § 19064(c)(9) 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.

Contra Costa Elections has not located documents that are responsive to this request.

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).

Contra Costa Elections has not located documents that are responsive to this request.

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.

2 CCR § 19064(c)(15) Tracking, controlling, preventing, and correcting the security use of wireless local area networks, access points, and wireless client systems.

Contra Costa Elections has not located documents that are responsive to this request.

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).

Contra Costa Elections has not located documents that are responsive to this request.

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.

Contra Costa Elections has not located documents that are responsive to this request.

12. Provide those documents, i.e., logs, narratives of inspection, created between September 1, 2020 and November 15, 2020 reflecting the inventory and identification of all wireless-capable devices in the County's ballot processing location.

Contra Costa Elections has not located documents that are responsive to this request.

13. Provide those documents, identifying by serial number, MAC address, device, and location, and the custodian of, all wireless-capable devices in the County's ballot processing location between November 2, 2020 and November 13, 2020.

2 CCR § 19064(c)(19) Protection of the organization's information, by developing and implementing an incident response infrastructure (e.g., plans, defined roles, training, communications, and management oversight).

Contra Costa Elections has not located documents that are responsive to this request.

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).

Contra Costa Elections has not located documents that are responsive to this request.

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.

Contra Costa Elections has not located documents that are responsive to this request.

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.

Contra Costa Elections has not located documents that are responsive to this request.

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.

Contra Costa Elections has not located documents that are responsive to this request.

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.

2 CCR § 19064

(d) Each county and its EMS vendor shall take the following security measures to provide security for the county's EMS and election information system, as well as for environments that interface with the statewide voter registration system and/or contain statewide voter registration system data:

(1) At all times servers hosting county voter registration and election information systems including the county's EMS as well as any Secretary of State property, such as routers, shall be secured in a designated area away from public access. The designated area shall be secured with a method to determine the identity of each person that has accessed the designated area and unauthorized access to this designated area must be detectable

Contra Costa Elections has not located documents that are responsive to this request.

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

Contra Costa Elections has not located documents that are responsive to this request.

20. *Provide those documents reflecting the memory sticks and similar technology that contain software and/or data used in the November 2020 election.*

Contra Costa Elections has not located documents that are responsive to this request.

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

Contra Costa Elections has not located documents that are responsive to this request.

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.*

2 CCR § 19064(d)

(2) *Only staff authorized by the county shall have physical access to servers hosting the county's EMS and election information system, including servers containing the county's EMS as well as any Secretary of State property, such as routers.*

Contra Costa Elections has not located documents that are responsive to this request.

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.*

2 CCR § 19064(d)

(3) *The county's EMS and election information system shall only be accessible by persons authorized by the county.*

Contra Costa Elections has not located documents that are responsive to this request.

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.*

2 CCR § 19064(d)

(4) *No peripheral devices (e.g., disks, flash drives, smartphones, etc.) shall be attached to Secretary of State property, such as routers, installed at the county.*

Contra Costa Elections has not located documents that are responsive to this request.

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.

2 CCR § 19064(d)

(12) Direct user access to the county's EMS and election information system shall require, at a minimum, single sign-on authentication. However, effective July 1, 2021, direct user access to the county's EMS and election information system shall require, at a minimum, two (2) sign-on authentications.

Contra Costa Elections has not located documents that are responsive to this request.

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.

2 CCR § 19064(e)

(e) The county's EMS and election information system shall implement security log management, which includes the following:

- (1) Log all systems and network devices with sufficient information collection.*
- (2) Securely store log files separately from the systems monitored, keep these files archived, and protect these files from unauthorized modification, access, or destruction.*
- (3) Use log monitoring tools to send real-time alerts and notifications.*
- (4) Utilize multiple synchronized United States-based time sources.*

Contra Costa Elections has identified responsive document(s) that describe potential vulnerabilities, or otherwise increase the potential for an attack on the information technology system associated with the Contra Costa Elections. As such, the Contra Costa Elections asserts that such document(s) are exempt from disclosure pursuant to Government Code sections 6254.19, 6254(aa) and 2 Cal. Code. Reg. § 19064.

27. Provide the log files for the county's EMS and election information system with entries between September 15, 2020 and December 1, 2020.

Contra Costa Elections has not located documents that are responsive to this request.

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.

Contra Costa Elections has identified responsive document(s) that describe potential vulnerabilities, or otherwise increase the potential for an attack on the information technology system associated with the Contra Costa Elections. As such, the Contra Costa Elections asserts that such document(s) are exempt from disclosure pursuant to Government Code sections 6254.19, 6254(aa) and 2 Cal. Code. Reg. § 19064.

29. Provide those documents or records reflecting memory sticks and similar technology that contain software and/or data used in the November 2020 election.

Contra Costa Elections has not located documents that are responsive to this request.

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

Contra Costa Elections has identified responsive document(s) that describe potential vulnerabilities, or otherwise increase the potential for an attack on the information technology system associated with the Contra Costa Elections. As such, the Contra Costa Elections asserts that such document(s) are exempt from disclosure pursuant to Government Code sections 6254.19, 6254(aa) and 2 Cal. Code. Reg. § 19064.

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.

2 CCR 19064(f) Counties shall regularly review log(s) for any errors, abnormal activities, and any system configuration changes.

Contra Costa Elections has not located documents that are responsive to this request.

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.

Contra Costa Elections has not located documents that are responsive to this request.

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

Contra Costa Elections has identified documents responsive to this request. The documents are not in an electronic format but they are available for inspection.

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.

Contra Costa Elections has not located documents that are responsive to this request.

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.

Contra Costa Elections has not located documents that are responsive to this request.

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.

2 CCR 19064. (g) Counties shall report detected unauthorized use, suspected breach, or denial of service attack on the county's EMS and election information system to the Secretary of State Elections Division Help Desk within 24 hours of discovery.

Contra Costa Elections has not located documents that are responsive to this request.

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.

Contra Costa Elections has not located documents that are responsive to this request.

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.

Contra Costa Elections has not located documents that are responsive to this request.

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.

Contra Costa Elections has not located documents that are responsive to this request.

40. Provide those documents which reflect Native ballot scanned images.

These sought records are exempt from disclosure pursuant to the California Constitution, article 1, sec. 1 and article II, Section 7; Government Code sections 6254(k); and Elections Code sections 2300(a)(4) (right to cast a secret ballot); 15370 (after ballots are counted and sealed, the elections official may not open any ballots nor permit any ballots to be opened); 15630 (all ballots, whether voted or not, and any other relevant material, may be examined as part of any recount if the voter filing the declaration requesting the recount so requests); 17301 (packages containing ballots and identification envelope shall be kept by the elections official, unopened and unaltered); and 17302 (packages containing ballots and identification envelopes shall be kept by the elections official, unopened and unaltered, for six months from the date of the election).

Citizens Oversight, Inc. v. Vu (2019) 35 Cal.App.5th 612 is instructive. The appellate court upheld the trial court's decision that ballots were exempt from disclosure because specific, clear language in Elections Code section 15370 and 17301 required that the ballots be kept unopened after being counted, and thus the right of access under California Constitution, art. I, sec. 3, subd. (b)(1), was outweighed by privacy interests under Cal. Const., art. I, § 1, and voting secrecy pursuant to Cal. Const., art. II, § 7.

Your request for electronic images of ballots raises the same legal concerns as

requesting copies of the actual ballots. In fact, in a March 26, 2020, memorandum, the California Secretary of State stated that “a ballot image is a cast vote record, and as such, a copy should not be provided to a requestor.” (County Clerk/Registrar of Voters (CC/ROV) Memorandum #20070, <https://elections.cdn.sos.ca.gov/ccrov/pdf/2020/march/20070jl.pdf>; see also *Kosmider v. Whitney* (2019) 34 N.Y. 3d 48 (electronic ballot images are protected from disclosure); *White v. Skagit County* (2015) 188 Wash.App.886 (same).)

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).

2 CCR § 19079. State Death and Felony Status Records.

(d) Upon receipt of a notice of potential match, the county elections official shall determine whether the registration record matches a record of a deceased person or person who is currently in state or federal prison or on parole for the conviction of a felony which renders that person ineligible to vote in accordance with Section 19061. If a match is confirmed by the county elections official, the county elections official shall accept the potential match and that voter's record shall be cancelled.

(e) When the Secretary of State receives a record of a voter with a federal felony conviction which renders them ineligible to vote, the record shall be forwarded to the county elections official of the voter's county of residence. The county elections official shall process the record in accordance with Section 19061.

(f) County elections officials shall process county death records in accordance with Elections Code section 2205, and upon identifying a match with a voter's record shall submit any change in the registration record to the statewide voter registration system in accordance with Section 19061.

(g) County elections officials shall process county felony records in accordance with Elections Code section 2212, and upon identifying a match with a voter's record shall submit any change in the registration record to the statewide voter registration system in accordance with Section 19061.

Contra Costa Elections has not located documents that are responsive to this request.

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.

Contra Costa Elections has not located documents that are responsive to this request. Contra Costa Elections may be able to extract this information through data extraction, compilation or programming. Please let us know if you wish to have this data extracted and compiled so that we may estimate the amount of costs associated thereto.

Additionally, the extraction and compilation of data can be prepared and made available for review and duplication once the Contra Costa Elections receives a completed application for voter registration data and fee pursuant to 2 CCR Section 19001, et seq.

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.

See the response to Request #42. There is not a distinction between felony status and "federal" felony status.

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.

Contra Costa Elections has not located documents that are responsive to this request. Contra Costa Elections may be able to extract this information through data extraction, compilation or programming. Please let us know if you wish to have this data extracted and compiled so that we may estimate the amount of costs associated thereto. Additionally, the extraction and compilation of data can be prepared and made available for review and duplication once the Contra Costa Elections receives a completed application for voter registration data and fee pursuant to 2 CCR Section 19001, et seq.

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.

Contra Costa Elections has not located documents that are responsive to this request. Contra Costa Elections may be able to extract this information through data extraction, compilation or programming. Please let us know if you wish to have this data extracted and compiled so that we may estimate the amount of costs associated thereto. Additionally, the extraction and compilation of data can be prepared and made available for review and duplication once the Contra Costa Elections receives a completed application for voter registration data and fee pursuant to 2 CCR Section 19001, et seq.

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

Contra Costa Elections has not located documents that are responsive to this request.

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

2 CCR § 19080. DMV Change of Address Notification.

* * *

Contra Costa Elections has not located documents that are responsive to this request.

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

Contra Costa Elections has not located documents that are responsive to this request.

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.

2 CCR § 19086. Report of Registration.

* * *

Contra Costa Elections has not located documents that are responsive to this request. Contra Costa Elections may be able to extract this information through data extraction, compilation or programming. Please let us know if you wish to have this data extracted and compiled so that we may estimate the amount of costs associated thereto. Additionally, the extraction and compilation of data can be prepared and made available for review and duplication once the Contra Costa Elections receives a completed application for voter registration data and fee pursuant to 2 CCR Section 19001, et seq.

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

2 CCR § 19087. Official List Extract.

* * *

Please find attached documents "CCC_ROR_15", "CCC_ROR_60", "SSOV Cert Nov", and "HAVA Cert Nov" related to the November 3, 2020 election.

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.

Contra Costa Elections has not located documents that are responsive to this request.

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.

2 CCR § 19098. Certification of County Elections Official.

* * *

Contra Costa Elections has not located documents that are responsive to this request.

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

General Requests

See response to Request #50. Certifications provided to local jurisdictions related to the November 3, 2020 election do not appear to be responsive but they can be provided upon request if you are interested in such documents.

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

116,062 ballot cards were adjudicated in the November 3, 2020 election.

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

Contra Costa Elections has not located documents that are responsive to this request.

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

Please find attached document "Nov2020_DuplicationLogs".

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

These sought records are exempt from disclosure pursuant to the California Constitution, article 1, sec. 1 and article II, Section 7; Government Code sections 6254(k); and Elections Code sections 2300(a)(4) (right to cast a secret ballot); 15370 (after ballots are counted and sealed, the elections official may not open any ballots nor permit any ballots to be opened); 15630 (all ballots, whether voted or not, and any other relevant material, may be examined as part of any recount if the voter filing the declaration requesting the recount so requests); 17301 (packages containing ballots and identification envelope shall be kept by the elections official, unopened and unaltered); and 17302 (packages containing ballots and identification envelopes shall be kept by the elections official, unopened and unaltered, for six months from the date of the election).

Citizens Oversight, Inc. v. Vu (2019) 35 Cal.App.5th 612 is instructive. The appellate court upheld the trial court's decision that ballots were exempt from disclosure because specific, clear language in Elections Code section 15370 and 17301 required that the ballots be kept unopened after being counted, and thus the right of access under California Constitution, art. I, sec. 3, subd. (b)(1), was outweighed by privacy interests under Cal. Const., art. I, § 1, and voting secrecy pursuant to Cal. Const., art. II, § 7.

Your request for electronic images of ballots raises the same legal concerns as requesting copies of the actual ballots. In fact, in a March 26, 2020, memorandum, the California Secretary of State stated that "a ballot image is a cast vote record, and as such, a copy should not be provided to a requestor." (County Clerk/Registrar of Voters

(CC/ROV) Memorandum #20070, <https://elections.cdn.sos.ca.gov/ccrov/pdf/2020/march/20070jl.pdf>; see also *Kosmider v. Whitney* (2019) 34 N.Y. 3d 48 (electronic ballot images are protected from disclosure); *White v. Skagit County* (2015) 188 Wash.App.886 (same.)

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

These sought records are exempt from disclosure pursuant to the California Constitution, article 1, sec. 1 and article II, Section 7; Government Code sections 6254(k); and Elections Code sections 2300(a)(4) (right to cast a secret ballot); 15370 (after ballots are counted and sealed, the elections official may not open any ballots nor permit any ballots to be opened); 15630 (all ballots, whether voted or not, and any other relevant material, may be examined as part of any recount if the voter filing the declaration requesting the recount so requests); 17301 (packages containing ballots and identification envelope shall be kept by the elections official, unopened and unaltered); and 17302 (packages containing ballots and identification envelopes shall be kept by the elections official, unopened and unaltered, for six months from the date of the election).

Citizens Oversight, Inc. v. Vu (2019) 35 Cal.App.5th 612 is instructive. The appellate court upheld the trial court's decision that ballots were exempt from disclosure because specific, clear language in Elections Code section 15370 and 17301 required that the ballots be kept unopened after being counted, and thus the right of access under California Constitution, art. I, sec. 3, subd. (b)(1), was outweighed by privacy interests under Cal. Const., art. I, § 1, and voting secrecy pursuant to Cal. Const., art. II, § 7.

Your request for electronic images of ballots raises the same legal concerns as requesting copies of the actual ballots. In fact, in a March 26, 2020, memorandum, the California Secretary of State stated that "a ballot image is a cast vote record, and as such, a copy should not be provided to a requestor." (County Clerk/Registrar of Voters (CC/ROV) Memorandum #20070, <https://elections.cdn.sos.ca.gov/ccrov/pdf/2020/march/20070jl.pdf>; see also *Kosmider v. Whitney* (2019) 34 N.Y. 3d 48 (electronic ballot images are protected from disclosure); *White v. Skagit County* (2015) 188 Wash.App.886 (same).)

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.

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.

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

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

63. *All electronic documents containing the phrase "Image Cast Remote 5.2".*
64. *All electronic documents containing the phrase "Suite 5.10A".*
65. *All electronic documents containing the phrase "Suite 5.10".*
66. *All electronic documents containing the phrase "Suite 5.2".*
67. *All electronic documents containing the phrase " ImageCast Evolution 5.10.9.3".*
68. *All electronic documents containing the phrase " ImageCast ICX 5.10.11.11.".*
69. *All electronic documents containing the phrase "Eric Coomer"*

With respect to requests #59-69, Contra Costa Elections will produce responsive records, except for those records or portions of records that are exempt from disclosure under the security exemption for records that describe potential vulnerabilities, or otherwise increase the potential for an attack on the information technology system for elections (Gov. Code, §§ 6254.19, 6254(aa) and 2 Cal. Code. Reg. § 19064.); the trade secret privilege; the proprietary business information exemption (San Gabriel Tribute v. Sup. Ct. (1983) 143 Cal.App.3d 762); and the official information privilege (Gov. Code, § 6254(k); Evid. Code, § 1040). There is strong public interest in enabling local agency representatives to receive election security information in confidence. Because disclosure of such materials could interfere with election security, the public interest in nondisclosure of this information outweighs any interest in disclosure.

Contra Costa Elections is working to provide such non-exempt responsive as expeditiously as possible.