MICHELLE D. BLAKEMORE County Counsel

PENNY ALEXANDER-KELLEY Chief Assistant County Counsel



JOLENA E. GRIDER
Deputy County Counsel
Jolena.Grider@cc.sbcounty.gov

COUNTY COUNSEL 385 NORTH ARROWHEAD AVENUE, 4th FLOOR SAN BERNARDINO, CA 92415-0140

(909) 387-5455 Fax (909) 387-4069

January 8, 2021

Scott A. McMillan 4670 Nebo Drive, Suite 200 La Mesa, CA 91941-5230 scott@mcmillanlaw.us

RE: Public Records Request dated December 30, 2020

Dear Mr. McMillan:

The County of San Bernardino ("County") received your request for records and/or information pursuant to the California Public Records Act (PRA) dated December 30, 2020. The request is for the following records identified in *italics*:

- 1. Provide those documents identifying, by date, time and means, all synchronization transmissions between the California Secretary of State and the county Registar [sic] of Voters.
- 2. Provide those documents with the results of each synchronization transmission between the California Secretary of State and the county Registar [sic] of Voters, by number of registrants confirmed as valid, and those that are identified as invalid.
- 3. Provide those documents which reflect notifications from the Secretary of State requesting or directing modifications to a voter's registration record between September 1, 2020 and November 15, 2020.
- 4. Provide those documents that reflect, in summary form, the modifications to the voter registration record, by date, time, and by any unique voter registration number or name of voter, for those records modified between September 1, 2020 and November 15, 2020.
- 5. Provide those documents identifying where, by geographic location, ballots were counted in the County between October 15, 2020, through November 30, 2020.
- 6. Provide those documents, i.e., logs, narratives of inspection, created between September 1, 2020 and November 15, 2020 reflecting "Active management (inventory, tracking, and correction) of all software on the network so that only authorized software is installed and can execute" took place in compliance with 2 CCR§ 19064(c)(2).
- 7. Provide those documents, i.e., logs, narratives of inspection, created between September 1, 2020 and November 15, 2020 reflecting "active management (tracking, reporting, and correction) of the security configuration of laptops, servers, and workstations in order to prevent attackers from exploiting vulnerable services and settings" took place in compliance with 2 CCR§ 19064(c)(3).

- 8. Provide those documents, i.e., logs, narratives of inspection, created between September 1, 2020 and November 15, 2020 reflecting "Active management (tracking, control, and correction) of the ongoing operational use of ports, protocols, and services on networked devices in order to minimize vulnerabilities available for attack" took place in compliance with 2 CCR§ 19064(c)(9).
- 9. Provide the log files for all data traffic, including connection requests accepted and refused, between the county's election information file and any other location between September 1, 2020 and November 15, 2020.
- 10. Provide those documents, i.e., logs, narratives of inspection, created between September 1, 2020 and November 15, 2020 reflecting "Tracking, controlling, preventing, and correcting the security use of wireless local area networks, access points, and wireless client systems" which took place in compliance with 2 CCR§ 19064(c)(15).
- 11. Provide those documents, i.e., logs, narratives of inspection, created between September I, 2020 and November 15, 2020 reflecting the inventory and identification of all wireless connections in the County's ballot processing location.
- 12. Provide those documents, i.e., logs, narratives of inspection, created between September 1, 2020 and November 15, 2020 reflecting the inventory and identification of all wireless-capable devices in the County's ballot processing location.
- 13. Provide those documents, identifying by serial number, MAC address, device, and location, and the custodian of, all wireless-capable devices in the County's ballot processing location between November 2, 2020 and November 13, 2020.
- 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 $2 \ CCR \ \S \ 19064(c)(l\ 9)$.
- 15. Provide those documents, reflecting training on any incident response infrastructure (e.g., plans, defined roles, training, communications, and management oversight) prior to October 15, 2020.
- 16. Provide those documents, reflecting roles on any incident response infrastructure (e.g., plans, defined roles, training, communications, and management oversight) prior to October 15, 2020.
- 17. Provide those documents, reflecting communications on any incident response infrastructure (e.g., plans, defined roles, training, communications, and management oversight) prior to October 15, 2020.
- 18. Provide those documents, reflecting management oversight on any incident response infrastructure (e.g., plans, defined roles, training, communications, and management oversight) prior to October 15, 2020.
- 19. Provide those documents reflecting the identity of each person that has accessed the routers for the county's EMS and election information systems between October 15, 2020 and November 13, 2020.

- 20. Provide those documents which identify all persons, not permanently employed by the County, who accessed servers or routers of the EMS and election information system between October 15, 2020 and November 14, 2020.
- 21. Provide documents which identify all persons authorized by the county who accessed servers or routers of the EMS and election information system between October 15, 2020 and November 14, 2020.
- 22. Provide those documents which identify all persons with USB or "flash drives" that were allowed access to any location where votes were tallied or processed in the County.
- 23. Provide those documents which identify all persons with sign-on authentication authorization as a direct user to the county's EMS and election information system between September 15, 2020 and December 1, 2020.
- 24. Provide the log files for the county's EMS and election information system with entries between September 15, 2020 and December 1, 2020.
- 25. Provide those documents or records reflecting a network topology plan or map referencing the devices attached each other device within the county's EMS and election information system.
- 26. Provide those documents or records reflecting the log monitoring tools used to send real-time alerts and notifications.
- 27. Provide the "real-time alerts and notifications", as referenced in 2 CCR 19064(e)(3) sent between September 1, 2020 through December 10, 2020.
- 28. Provide those documents or records reflecting review, at any time, of "any errors, abnormal activities, and any system configuration changes", identified between September 1, 2020 through December 10, 2020.
- 29. Provide those documents which reflect "any errors" in the county's EMS and election information system identified between September 1, 2020 through December 10, 2020.
- 30. Provide those documents which reflect "abnormal activities" in the county's EMS and election information system identified between September 1, 2020 through December 10, 2020.
- 31. Provide those documents which reflect "system configuration changes" in the county's EMS and election information system identified between September 1, 2020 through December 10, 2020.
- 32. Provide those documents which reflect "unauthorized use" in the county's EMS and election information system identified between September 1, 2020 through December 10, 2020.
- 33. Provide those documents which reflect "suspected breach" in the county's EMS and election information system identified between September 1, 2020 through December 10, 2020.
- 34. Provide those documents which reflect "denial of service attack" in the county's EMS and election information system identified between September 1, 2020 through December 10, 2020.

- 35. Provide those documents reflecting a report to the Secretary of State Elections Division Help Desk of a "detected unauthorized use, suspected breach, or denial of service attack" between September 1, 2020 through December 10, 2020, as required under 2 CCR 19064 (g).
- 36. All records reflecting change in registration status submitted to the statewide voter system by the county due to felony status processed between September 1, 2020, and November 10, 2020,
- 37. All records reflecting change in registration status submitted to the statewide voter system by the county due to federal felony status processed between September 1, 2020, and November 10, 2020.
- 38. All records reflecting change in registration status submitted to the statewide voter system by the county due to county death records reflecting voter to be deceased processed between September 1, 2020, and November 10, 2020.
- 39. All records reflecting the total cancellations directed by the Secretary of State processed by the county between September 1, 2020, and November 10, 2020.
- 40. All records reflecting searches of county felony records between September 1, 2020, and November 10, 2020.
- 41. All records reflecting searches of county death records between September 1, 2020, and November 10, 2020.
- 42. All records reflecting county searches of DMV Change of Address (DMV COA) between September 1, 2020, and November 10, 2020.
- 43. All records reflecting total submissions by changes in the registration record to the statewide voter registration system in accordance with Section 19061, between September 1, 2020, and November 10, 2020.
- 44. Those documents reflecting the dates of certifications of information provided to the Secretary of State according to 2 CCR § 19086(b).
- 45. Those documents reflecting the date of generation of the official list extract from the statewide voter registration system for the purpose of conducting the 2020 General Election.
- 46. Those documents reflecting the date of each subsequent or supplemental rosters, after the initial roster for the purpose of conducting the 2020 General Election.
- 47. All celiifications executed by any county election official for the November 3, 2020 General Election.
- 48. The number of ballots determined by the county through adjudication for the November 3, 2020 election.
- 49. All ballots duplicated by the county through adjudication for the November 3, 2020 election.
- 50. Those documents that identify the records of ballots duplicated for the November 3, 2020 election.

- 51. Those documents that identify the records of ballots adjudicated for the November 3, 2020 election..[sic]
- 52. Those documents that identify the records of changes to ballots made for the November 3, 2020 election.
- 53. All correspondence, whether such correspondence occurred by physical letter, email, text message, with any person employed by or affiliated with Dominion Voting Systems, Inc. between April 1, 2019 through December 10, 2020.
- 54. All correspondence, whether such correspondence occurred by physical letter, email, text message, with any person employed by or affiliated with the California Secretary of State's Office of Voting Systems Technology Assessment between April 1, 2019 through December 10, 2020.
- 55. All electronic documents containing the phrase "Image Cast Remote 5.1 O".
- 56. All electronic documents containing the phrase "Image Cast Remote 5.10A".
- 57. All electronic documents containing the phrase "Image Cast Remote 5.2".
- 58. All electronic documents containing the phrase "Suite 5.1 OA".
- 59. All electronic documents containing the phrase "Suite 5.10".
- 60. All electronic documents containing the phrase "Suite 5.2".
- 61. All electronic documents containing the phrase "ImageCast Evolution 5.10.9.3".
- 62. All electronic documents containing the phrase" ImageCast ICX 5.10.11.11.".
- 63. All electronic documents containing the phrase "Eric Coomer"

County staff is in the process of searching to determine if there are any records responsive to your request.

Please note that due to orders of the Governor suspending non-essential operations and ordering workers to remain in their homes, the County has limited staff available to respond to Public Records Act requests. Thus, although the County will make every reasonable effort to respond to Public Records Act requests as soon as possible, the County may require a reasonable amount of additional time to fulfill Public Records Act requests under the current circumstances. The County currently expects to provide an additional response to this request by approximately January 23, 2021.

If there are records responsive to your request, please be aware that, depending on the nature of the records and/or information sought, some or all of the records may contain information that is exempt from disclosure under one or more subdivision of Government Code section 6254, or under Government Code section 6255, or pursuant to some other exemption or privilege. If only

Scott McMillan January 8, 2021 Page 6

a portion of a requested record is exempt from disclosure, the record will be provided for your inspection or copying with the exempt information redacted.

If you have requested copies of records, generally the cost of each $8\frac{1}{2} \times 11$ inch black and white copy is 10 cents per page side. Larger formatted copies, color copies, and other special copies will cost more per page. If you have requested records or information in electronic format, we will be in further contact with you about whether this is possible and whether there are any associated costs.

Very truly yours, MICHELLE D. BLAKEMORE County Counsel

Deputy County Counsel