COUNTY OF TUOLUMNE
GRAND JURY
12855 Justice Center Drive
Sonora CA, 95370

Tuolumne County Elections Report

June 30, 2023

State of Tuolumne County Elections

SUMMARY

In the past few years, confidence in the voting system has decreased. The 2000 election of George W. Bush and again in the 2020 election of Joseph Biden made national news as election results were challenged. Given current concerns, the Grand Jury felt the time was appropriate to review the changes that have taken place. Since this year's Grand Jury had an election occurring during their term, the Grand Jury was able to observe and investigate the election process in Tuolumne County. Our goal was to check that the election process was accurate, secure and available to all residents.

Several changes have taken place in recent years in legislation for the voting process as a whole. The State of California instituted VoteCal to meet the requirements of the Federal Help America Vote Act (HAVA). COVID-19 also changed the landscape of voting from primarily in-person to mail-in. The days of voting primarily in-person before COVID may never return. Not surprisingly, the changes have also undermined public trust in the new process, especially in voting integrity and security.

The Grand Jury performed extensive research consisting of interviews, site visitations, reviews of process, procedures, regulations and technical documentation. Following the extensive review, the Tuolumne County Grand Jury (TCGJ) concluded the Tuolumne County Election Department (TCED) does a truly commendable job in all aspects within its control of running an election including voter registration and validation, volunteer training, Vote Center site set up, regulatory requirements, security and data dissemination. One aspect of the process potentially outside of department control is the possible vulnerability to a connection with external hardware such as a USB drive. While physical access is highly restricted, the possibility exists however remote or unlikely. A thumb drive is used to update the voting tabulation machine and download data.

Disclaimer:

Reports issued by the Grand Jury do not identify individuals interviewed. California Penal Code, §929, requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Grand Jury.

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GLOSSARY

ADA	Americans with Disabilities Act
CDCR	California Department of Corrections & Rehabilitation
CDPH	California Department of Public Health
COTS	Commercial off-the-shelf (products)
DOJ	US Department of Justice
DMV	California Department of Motor Vehicles
DVS	Dominion Voting Systems
EAP	Election Action Plan
EDD	California Employment Development Department
EMS	Election Management System
HAVA	Help America Vote Act
ICC	ImageCast Central
ICX	ImageCast X (ballot marking device)
SB450	Senate Bill 450 - California Voter Choice Act
TCED	Tuolumne County Elections Department
TCGJ	Tuolumne County Grand Jury
USB	Universal Serial Bus
VCA	Voter Choice Act
VIG	Voter Information Guide (Tuolumne County)

BACKGROUND

The Tuolumne County Grand Jury (TCGJ) decided to investigate the Tuolumne County election process. The Tuolumne County Elections Department (TCED) manages elections with a small full-time staff and thirty-two volunteers (six in the Election Center and twenty-six in the Vote Centers). With overall lower public confidence in the election system and its trustworthiness, the TCGJ believed a comprehensive review would help to ascertain the state of elections within the County. The TCGJ also believed that the resultant review could help to identify potential limitations and issues as well as strengths. The TCGJ and County residents would garner a better understanding of elections in the county and the TCED through this investigation. The review would document the process and clarify any possible misunderstandings, misconceptions or candid lack of knowledge as to election voting, voting system technologies, tabulation and recording and applicable regulations.

METHODOLOGY

Members of the 2022-2023 TCGJ met with the County Elections staff and performed extensive research on all aspects of voting and regulatory requirements. To better understand the election process, legal requirements, election department and Voter Center information technology, volunteer training and associated State and County regulatory documentation, the Grand Jury:

- Interviewed County Election and volunteer staff
- Interviewed County Information Technology staff
- Performed multiple visits to the Voting Centers, ballot box locations and the County Election Center
- Witnessed the Vote Center process for walk-in voting
- Reviewed ballot pick up process for drop boxes and Vote Centers
- Observed Election night ballot processing and recording to State
- Observed pre-Election meeting with Democratic and Republican Election Integrity Team representatives
- Reviewed Dominion voting device operation
- Reviewed Dominion documentation and certifications from Federal agencies
- Reviewed formal process documentation from the State of California and Tuolumne County including the Voter's Choice Act and VoteCal

Confidentiality

Grand Jury members are sworn to secrecy regarding any matter brought before them. This assures all individuals that their testimony will be strictly confidential. Each Grand Juror must keep all evidence confidential. It is a misdemeanor to violate the confidentiality of any individual or evidence brought before the Grand Jury.

Recusal

The Grand Jury recognizes that a conflict of interest may arise during its investigations. In such instances, the juror may ask to be recused from all aspects of an investigation. Those members do not investigate, attend interviews and deliberations, or assist in the making and acceptance of a final report that may result from an investigation. Therefore, whenever the *perception* of a conflict of interest existed on the part of a member of the 2022-2023 TCGJ, that member abstained from any investigation involving such a conflict and from voting on the acceptance or rejections of any related subject.

DISCUSSION

Given the public's perceived lack of confidence in the current voting process, changes have taken place to build more confidence in the election process. Coinciding with our term in 2022, the Grand Jury was able to observe and investigate the Mid-Term election process in Tuolumne County.

VoteCal is the official centralized database maintained by the State of California that updates state voter registration information. The system became active in 2016 and includes all fifty-eight counties' voter databases. For VoteCal to meet the requirements set forth in the Federal Help America Vote Act (HAVA), the database had to connect the state to all fifty-eight counties, provide a public website to register to vote online and provide a single database for voter registration information.

The information collected comes from several different external systems, ensuring the database is up to date and as complete as possible. The databases that interface with state and county systems to collect information are as follows:

- County Election Management Systems (EMS) is used to register voters and update voter information
- California Department of Corrections and Rehabilitation (CDCR) compares to the VoteCal database to remove any registered voter that has had voting privileges removed due to a felony conviction
- California Department of Public Health (CDPH) removes any registered voter that has been confirmed to be deceased
- California Employment Development Department (CEDD) runs against the VoteCal system for address updates
- California Department of Motor Vehicles (DMV) registered drivers and applicants for licenses or ID cards are automatically registered as voters unless they opt out. This system is used to update addresses and can be used for signature verifications

Information that VoteCal collects includes the voter's name, physical and mailing address, driver's license or ID number and last four digits of Social Security number, date of birth and political party affiliation. Other optional information collected are e-mail address, phone number, language preference, ethnicity and race. The public has access to portions of VoteCal. They can register to vote, update their registration information, find their polling place and verify that their mail-in or provisional ballot has been counted and if it wasn't, the reason why it was not counted.

Voter's Choice Act (VCA) was passed in 2016 through Senate Bill 450. It was implemented in Tuolumne County in 2020. This election model allows voters to choose how, when and where to cast their votes by doing the following:

- Mailing a ballot to every voter, not just selected absentee ballots
- Expanding the in-person early voting hours and days
- Allowing voters to vote at any Voting Center in the county
- Providing secured ballot drop off locations in the county

The VCA also requires each county develop an Election Administration Plan (EAP) to provide voters with education and information about how, where, and when to vote. This plan is established with the help of the public to work in partnership with different agencies for maximum impact. Tuolumne County updated their EAP on May 22, 2022. Resources used to distribute election information include social media, radio, television, direct mail and newspapers.

The VCA is not in every California county. In 2018, only five counties implemented VCA. In 2020, the number had increased to 15 and by 2022, the number of counties increased to 27. With a total of 58 counties, California is at 46% of participating counties. The implementation requires an initial financial expense and a continued increase in expenditure. The County is required to buy all new equipment which could include Poll pads for every voting center, secure ballot drop-off boxes, voting machines, printers, card makers, vote counting computers and potentially more. Expenses also increased for the additional staff required to have the voting centers opened for several days and longer hours. The postage expense is also higher since all registered voters are mailed a ballot, not just the voters who have opted for absentee ballots. Monies are available through grants for these expenditures.

The investigation documents the following election processes in Tuolumne County: Voter Registration, Ballot preparation and mailing, Voting Centers, Drop off Boxes and Election Office ballot tabulation and certification.

Voter Registration, Ballot Preparation and Elections Mailing

A great deal of effort is involved in voter registration, voter address corrections, verification, and ballot preparation. Voter lists are continuously updated. The State of California posts official lists of deceased persons for Tuolumne County and Tuolumne County Health Department. DMV provides change of address information but only for in-state moves. Any returned County Registrar mailings will be processed to verify address changes and update voter registration information (out of State moves or death). Voter identification cards are mailed to verify address changes. Tuolumne

County can receive 600 to 800 undeliverable ballots for any given election. The TCED attempts to contact voters to correct the status of these ballots.

Election Voting (COVID-era Changes)

Tuolumne County Totals	2021 Gubernatorial Recall Election	2022 June Primaries Election	2022 Mid-Term Election
Registered Voters	35,450	35,221	35,355
Votes Cast	25,750	17,092	23,414
Percent of Voters	73%	48%	66%
Mail in Ballots	24,962	16,703	22,524
Vote Center Ballots (in-person)	788	389	890

Source: Tuolumne County Elections Department

The voter information guides generally consist of two election guides: one each for Tuolumne County and State of California. The County guide includes all local races and measures. The State guide includes US President, US House of Representatives and Senate races, State Offices, State Justices and State propositions. These are mailed ahead of receiving the voting ballots. For the 2022 Mid-term election, the State averaged 50% of registered voters cast ballots; Tuolumne County was very engaged with two-thirds of registered voters participating.

The TCED sends the ballot file between 45-50 days before an election to the printer. For the last election, the file was sent on September 21, 2022. Instructions are provided as to the quantities for each ballot type and the respective mailing list for each ballot type. Tuolumne County has a total of 62 precincts. The ballots are mailed to voters 29 days prior to the election. After the initial file is sent to the printer, TCED will support voter updates locally. Updates between 45 days and 29 days prior to the election are mailed to the individual voter. Updates from 28 days until Election Day, the ballot is printed in the office and the voter has the option to vote in the office or take home. During the last election, TCED mailed out 563 new or replacement ballots.

Unfortunately, production errors, while rare, can occur. In the fall 2022 mid-term elections, incorrect ballots were sent. Once the error was discovered, correct ballots were mailed to the 121 voters who had not voted. A total of 21 voters who had already voted were pulled (to match up with the corrected ballot). The affected ballots were for precinct 4007. Another issue can occur with multiple page ballots. In the last election, the ballot had two separate pages. If the voter fails to return both pages, the system will only count the ballot if page one is returned. The ballots with only one page are pulled by Election Center staff and they attempt to reconcile.

Voting Centers

For the 2022 Fall Mid-Term General Election, Tuolumne County used 5 voting centers:

- Tuolumne County Elections Department, weekdays open October 10 - November 8 and weekends October 29-30 and November 5-6
- Tuolumne Memorial Hall, October 29 - November 8
- Groveland Library, November 5 - November 8
- Jamestown Community Hall, November 5 - November 8
- Twain Harte Bible Church, November 5 - November 8

The TCGJ observed each Voting Center during their operations and interviewed staff to understand the process, knowledge and training. The consistency and uniformity of answers to our questions demonstrated their knowledge and skill levels. The TCGJ was very impressed with the staff at each respective site. They exhibited a comprehensive knowledge of the regulations and process while demonstrating a high degree of professionalism. Their performance reflects very highly upon our County and showed a resolute commitment to protecting the integrity of our elections.

Each Vote Center has accessible parking and is Americans with Disabilities Act (ADA) compliant. Vote Center staff ensures each center has the appropriate equipment and material to be ADA compliant. The ICX (ImageCast X) is an accessible ballot marking device with audio options, connections for sip and puff technology, paddle-controlled navigation and font size and color contrast control. Each Vote Center is equipped with doorbells for voters with disabilities to alert staff inside for assistance. Poll workers come out to the voter's car and provide the voter with everything needed to vote in their car.

Each Voting Center contains two KNOWiNK poll pads and three ICX ballot marking devices. KNOWiNK poll pads are used as an electronic roster by Vote Center staff to verify the registered voter, what ballot they should receive (based on their address) and whether that person has already voted. The poll pads fully meet California Code of Regulations Title 2, §20158 – Electronic Poll Books System Requirements. The Poll pads access VoteCal, the official statewide voter registration database managed by the California Secretary of State. VoteCal tracks voters across the state. The database will notify Vote Center staff if a voter is actively registered in another county. The database will also notify Vote Center staff if the voter has received and/or returned a ballot in another county. Voters are required to give their name and address which are compared to the VoteCal database. If the information is not in the database for that voter, they will be provided with a provisional ballot.

From an information technology perspective, KNOWiNK has a server on-site at the County office. The firewall used by the County to give the KNOWiNK air-gapped access is updated monthly. Air-gapped means having no direct connection to the internet or to any other computer that is connected to the internet for security reasons. Hotspots are provided by the County if needed. These are used by KNOWiNK to encrypt and tunnel traffic (data) from polling sites back to the KNOWiNK server. Tunneling is a method to transport data across a network in such a way that equipment between the server and client cannot read the data.

Manufactured by Dominion Voting Systems, the ICX is an accessible ballot marking device with audio options, connections for sip and puff technology, paddle-controlled navigation and font size and color contrast control. The audio capabilities support any of the 10 languages required by the US Department of Justice (DOJ): English, Spanish, Chinese, Japanese, Tagalog, Korean, Vietnamese, Thai, Hindi and Khmer. The following additional languages have been added to comply with California Election Code §14201: Indonesian, Laotian, Mien, Urdu, Bengali, Burmese, Gujarati, Mongolian, Nepali, Tamil, and Telegu. The ICX requires the voter to insert a card which is generated by a poll worker. The cards have the correct ballot for the voter. For the fall 2022 General Election, Tuolumne County had 23 different ballots.

The Vote Center staff identifies the correct ballot for the voter (a paper ballot or a card to be inserted to the ICX device). With either voting option, a paper ballot is either printed out from the printer via the ICX device or hand completed by the voter. Once the voter is finished, the ballot is returned and placed in the ballot box. For voters using the ICX device, the card is returned to the Vote Center staff.

Paper Ballot Voting

Ballot Station

The correct ballot for the voter is printed

Voter marks choices on ballot

Ballot is returned to Vote Center staff

Electronic Voting

Voting on the ICX

- A voter inserts the card
- The machine will pull up their ballot
- The voter marks their choices and prints the ballot and returns ballot to Vote Center staff

The ballots are processed at each Voting Center near the end of each day. The ballots are counted and recorded by voting center volunteers. Volunteers picking up the ballots each day separately count the ballots to verify the quantity. Any discrepancies are resolved and both the Vote Center and pick up volunteers sign to certify the total. The ballots are then delivered to the Election Center and the Center verifies the count.

Ballot Drop Off Boxes

The ballot boxes are currently in nine locations:

- Columbia Elementary
- Groveland Library
- Junction Shopping Center
- Mi-Wuk Library/MAHA
- Rocca Park
- Sonora Library
- Tuolumne County Elections Department
- Twain Harte Market
- Willow Springs Clubhouse

The ballot boxes are available 24 hours a day while the elections are in process. The one exception is the Election Center location, which is only available during the day. The ballot box mail slot is two envelopes wide and locked at all times. The ballots are picked up daily by two volunteers, counted and then delivered to the Elections Office. The ballot count is then verified. Volunteers for ballot pickup include the Sheriff's Community Service Unit and League of Women Voters.

Election Office Ballot Tabulation and Certification

The Election Center receives all ballots, documents ballot deliveries and quantities daily. They also perform vital roles of processing ballots, tabulation and recording ballot totals. The Center will officially perform the mandatory 1% manual vote verification before the certification of the election can occur. The vote verification requires 1% verification of each ballot type. For the 2022 Mid-term election, the TCED performed a 2% manual verification. Following the election, the ballots are boxed and identified by type of election and date. The boxes are stored onsite and destroyed according to the retention schedule. The record retention for Federal ballots is 22 months and the State/County/Local ballots is 6 months. A vendor is contracted to perform the ballot destruction. A certificate of destruction is provided to the TCED.

The TCGJ witnessed the vote processing on October 18, 2022. Ballots are initially placed in trays by batches (where the ballots were received from). For this processing session, the ballot breakdown was: 455 from drop boxes, 190 from the Registrar's Office and 1793 from US Mail. The first step in processing is to verify the voter signature. Previous voter signatures are scanned and saved. The current signature on the envelope is visually compared against saved signatures. If the signatures match, the ballot is processed. If not, the voter in question is contacted for verification. The verified ballot envelopes are opened and placed in trays until processing.

When ballot processing begins, the volunteers pull the trays and remove the ballots. The ballots are reviewed for any potential problems. Problems include soiled, torn, or damaged ballots. Damaged ballots will require a duplicate ballot to be made. Other issues include the use of red, purple or pink pens (cannot be read by the scanner), extraneous comments or marks/lines drawn on the ballot or write-in candidates who did not complete the required documentation prior to the election (pre-qualified). During the fall 2022 election, a photograph published in the Sonora *Union Democrat* showed a sign attached to a Ballot Drop off box advising voters to vote in person. Ironically, whether voting in person or mailing in your ballot, the ballot is tabulated in the exact same manner. All ballots have eight days after the election date to be corrected.

The TCGJ observed a meeting on November 4 between the TCED and the California Democratic and Republican Election Integrity Teams for Tuolumne County. The teams were established in California following the 2020 Presidential Elections to assist with establishing public confidence in elections. The teams were to view election night processing in all 58 California counties. This program was established in partnership with the California Secretary of State. The teams witnessed ballot processing as the TCGJ did on October 18. They also viewed Election Night ballot tabulation and reporting on November 8.

The Dominion Voting System (DVS) is used by Tuolumne County for counting and tabulating the votes and for the voting machines in the Voting Centers. The system was purchased in March 2020. This system is standalone, not connected to any other voting devices. It is air-gapped like the other hardware. Every software update is performed in person by a representative from Dominion. All software updates are required to be certified by the State of California. The DVS provides support from building the election (ballots), voting and tabulating, tallying and reporting to election auditing.

In addition to the Dominion hardware in the Voting Centers, the Election Center uses ImageCast Central (ICC) for vote tabulation. The ICC uses select commercial off-the-shelf (COTS) Canon DR-X10C, Canon DR-G1130, Canon DR-G2140, and Interscan HiPro scanners at a central tabulation location to scan vote-by-mail and post-voting ballots like provisional ballots and ballots requiring duplication. The results are dropped into a folder located on the server where they can be accessed by the Adjudication Client software.

DVS machines operate using a suite of proprietary software applications, including Election Management System (EMS), Adjudication Client, and Mobile Ballot Production. The software allows for various settings, including cumulative voting, where voters can apply multiple votes on one or more candidates, and Ranked Order Voting, where

voters rank candidates in order of choice and the system shifts votes as candidates are eliminated.

Tuolumne County uses Dominion's Democracy Software Suite, version 5.10A. The Election Management System (EMS) includes a set of applications that handle pre- and post-voting activities, including ballot layout, programming media for voting equipment, generation of audio files, importing results data, and accumulating and reporting results.

Adjudication Client is a software application with administrative and ballot inspection roles. It allows a jurisdiction to resolve problems in a ballot on screen that would normally be rejected, to be remade or hand counted because of one or more exceptional conditions like a blank ballot, write-ins, over-votes, marginal marks and under-votes. The application configures user accounts, reasons for exception, batch management and report generation, which in some jurisdictions must be performed by an administrator directly on a server. Ballot inspection allows users to review ballots with exceptional conditions and either accept or resolve the ballot according to state laws. Each adjudicated ballot is marked with the username of the poll worker who made the change.

Mobile Ballot Production operates in conjunction with the EMS, which creates printable ballot images in PDF format including tints and watermarks. The image is exported to a laptop and then printed on blank paper to provide a ballot record. After configuration and setup are complete, the laptop only contains geopolitical information and no voter data. The system will also generate reports in Excel, Word and .pdf format, including total number of ballots printed and ballot style.

During initial testing in 2017, the California Secretary of State tested the Dominion system against applicable California Election Codes. The DVS complied with or satisfied all the following required section codes: 10264, 10550, 14433, 15101(b), 15101(c), 15109, 15110, 15150, 15151(a), 15153, 15212, 15302(e)(f)(g)(h), 15342(a), 15372, 15374, 19203, 19204, 19205, 19240, 19242(b), 19300, 19301, 19303 and 19322.

The Dominion software is hand delivered by a state representative. The software build is validated by the State. Dominion software is certified on a state-by-state basis. Standards may vary by state. The software/election build is installed via a USB drive. A formal process is established for handling USB drives. An intermediary laptop scans all USB drives before being connected to the Dominion device. A representative from Dominion is onsite to install the validated build. Readiness testing is performed prior to the election. Images of the ballots are saved at the time of scanning. The front and back images of the ballot are taken. The Dominion device takes an initial tally of the ballot(s), and the images/tally can be used in the adjudication process if necessary.

Election Night

The TCGJ observed the November 8 Election Night tabulation and reporting. Besides the Grand Jury members, reporters, County Board of Supervisors and members of the Republican Election Integrity Team observed the process. Volunteers returned with Election Drop-off box ballots and Vote Center ballots after the polls closed. As discussed previously, the votes are processed by six Election Center volunteers in batches. If issues occur within a batch, the batch is held back until all issues with the batch are resolved (adjudicated). During scanning, jamming can occur. If this does happen, the ballot numbers in that batch are zeroed out and redone. Dominion staff is onsite and maintenance help is available if needed. By 8:00 pm, a total of 15,309 or 43% of the ballots were counted. The first attempt to tabulate the results was unsuccessful. The TCGJ recommended rejecting the open batches being adjudicated and not all the files. This suggestion resolved the problem, and the votes were tabulated. The ratio for Election Night ballots requiring adjudication was approximately 1 for every 150 ballots.

Election Certification

Ballot counting does not end on Election Night. The Registrar has the obligation to ensure all ballots are counted including mail-in ballots postmarked by Election Day, provisional ballots, write-in ballots and damaged ballots. These ballots are counted in the 30-day period known as the Official Election Canvass. Certain ballots require additional review to verify voter eligibility and whether write-in votes were cast for qualified candidates.

During this period, ballot verification is also performed (as discussed earlier). Only 1% of the total needs to be manually verified. Tuolumne County verified 2% to be sure all the ballot types were covered in the selected ballot batches. The Dominion device can also be used to select the 1%. For example, when counting the ballots that came in on election night, only 153 would need to be verified. The TCGJ observed the ballot verification. The randomly pulled batches were manually counted and matched the computer results. The chain of custody appears to be extremely robust with clearly defined checks and balances in place.

California state law requires the Registrar to certify the vote within 30 days of the Election Day. Once these ballots are counted and the 1% verification is complete, the final vote results are submitted to the Board of Supervisors for certification. With their certification, the election is finalized and submitted to the California Secretary of State’s office.

Potential Risks

While no computing operation can be completely risk-free, the following potential areas of risk were identified by the TCGJ. While more possibilities could surely exist, the two

readily identified were external hardware connections to the Dominion computers and physical access to the Dominion devices and election area. A USB drive or other hardware approach would be required to infect the air-gapped machine. While the Dominion machines are air-gapped, it was not configured in any way to prevent the connection of external hardware. All updates and data downloads, for example, are performed using the USB port. It is possible a thumb drive containing a virus could be downloaded onto the computer (bypassing the intermediary laptop scan). Another possibility is a thumb drive designed to compromise, or outright destroy the voting machine being inserted and injecting voltage into the USB port with a USB killer. TCED performs virus checks on every USB drive before it is connected to the Dominion computer. TCED has taken necessary precautions to maintain data and computer safety and minimize physical access to the computers. Physical access also is an equally significant threat. With access to the computer and election areas extremely limited, activities like Election Night posed more of a threat as visitors, guests and observers could not all be monitored.

Another area of risk and concern is the personal safety of staff and volunteers. During previous elections, death threats were received, and individuals were yelling at staff and watching ballot box drop-offs. However, the 2022 Fall Mid-term elections were incident free.

FINDINGS, RECOMMENDATIONS, AND COMMENDATIONS

Findings

F1: The TCED has a strong support staff of over 30 supporting the Tuolumne County elections. Their training is both efficient and effective as evidenced during interviews and tours. The Election Center clearly demonstrated their knowledge both on Election Night and ballot processing observations. The Vote Center staff knew the process thoroughly during our interviews and observations.

F2: With the precinct 4007 printed ballot error, a printer proof process to verify the ballots prior to printing did not appear to be in effect. The error was not discovered until a precinct voter came to the Election Office. Understanding the time constraints, a review and approval still should be performed. The ballot corrections, once discovered, were handled swiftly and with great care to be sure all affected voters received updated ballots.

F3: Physical access to the Election area is a concern, as witnessed primarily during Election Night. The open areas could not all be monitored by staff. Observers and visitors could walk into areas they should not have access to.

While physical security did seem present or sufficient, access is a concern during the entire election period.

F4: Safety of election staff and election centers and ballot boxes should be of paramount concern. The TCGJ did not see a formal safety review or debrief following the election.

F5: In conjunction with the physical access concerns, a formal procedure for access to the Dominion hardware for software updates and for election downloads was not readily available. The TCGJ did not see a formal procedure provided when all related documentation was requested.

F6: The VCA is fully implemented in Tuolumne County. TCED has an extensive community outreach program.

Recommendations

R1: All material, printed or available only online, should have a vetting process or material signoff. This includes the ballots printed and mailed offsite. Online proofs should be approved, even if the TCED creates and submits the files. (F2)

R2: For both physical site and Dominion system access, formal procedures should be established including a two-person integrity rule. A minimum of two County staff should be present during all ballot build uploads, software downloads and external drive scans. The TCGJ was not provided with any documentation regarding site and Dominion hardware access security plans. (F3, F5)

R3: A comprehensive volunteer and Election and Vote Center debrief plan should be established and fully documented. This should include protocols for ballot box pick-ups, Vote Center ballot pick-ups and deliveries to the Election Center. The TCGJ did not see any formal debrief procedures to document what went well and what did not go well. (F4)

R4: The community outreach, voter presentations, printed material, and voter education through media channels should be continuously improved. The TCGJ was impressed with the depth and breadth of the materials. (F6)

Commendations

C1: The Tuolumne County Grand Jury commends the Tuolumne County Elections Department for their performance excellence in County Elections operations: ballot preparation, election build, published voting materials, community outreach, Vote and Election Center worker training, overall voting system management, technical support and commitment to Tuolumne County for voting integrity. (F1)

C2: The Election Center and Vote Center are recognized for excellent performance with respective operations, voter support and knowledge, vote tabulation, procedural integrity and dedication to the voting process. Their knowledge, professionalism and impartiality are a credit to Tuolumne County. (F1)

REQUESTED RESPONSES

Required Responses

Pursuant to Penal Code Section §933(c), responses are required from the following governing body within 90 days:

- Board of Supervisors: Findings F1-F5 and Recommendations R1-R4

Pursuant to Penal Code Section §933(c) responses are required from the following elected official within 60 days:

- Tuolumne County Auditor/Registrar of Voters: Findings F1-F6 and Recommendations R1-R4

Invited Responses

Although not required under Penal Code Section §933(c), the following responses are invited within 90 days:

- Tuolumne County Assistant Clerk - Elections: Findings F1-F6 and Recommendations R1-R4
- Tuolumne County Information Technology Director: Finding F5 and Recommendation R4

BIBLIOGRAPHY

California Code of Regulations Title 2, Section §20158 – Electronic Poll Books System Requirements

California Election Codes §4005, §4006, §4007, §10264, §10550, §14201 §14433, §15101(b), §15101(c), §15109, §15110, §15150, §15151(a), §15153, §15212, §15302(e)(f)(g)(h), 15342(a), §15372, §15374, §19203, §19204, §19205, §19240, §19242(b), §19300, §19301, §19303 and §19322

California Secretary of State's Office of Voting Systems Technology Assessment Staff Report, Dominion Voting Systems Democracy Suite 5.2, August 2017

California Secretary of State's Office of Voting Systems Technology Assessment Staff Report, Dominion Voting Systems Democracy Suite 5.10A, July 2020
Dominion Voting System Software Version 5.10A

California Voter's Choice Act
California Voter's Choice Act: California Secretary of State

County of Tuolumne Voter Center Worker Online Training PowerPoint presentation
Online Worker Training Powerpoint.pptx

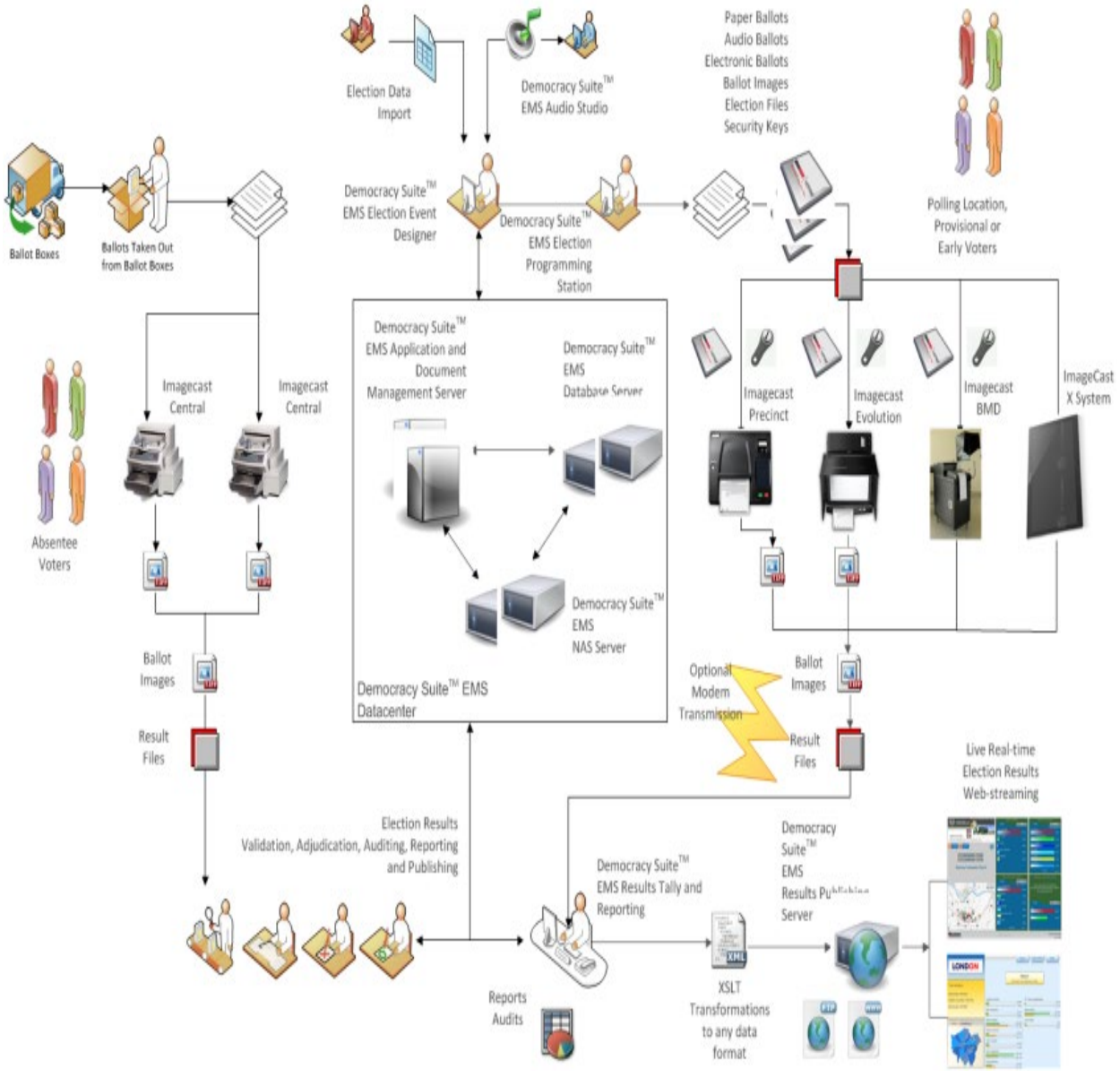
County of Tuolumne County Voters Choice Act (VCA)
Tuolumne County Voter's Choice Act (VCA)

County of Tuolumne In-Person Worker Training PowerPoint presentation
In-Person Worker Training Powerpoint.pptx

Dominion Voting Systems
www.dominionvoting.com

APPENDIX

Dominion Voting Systems Democracy Suite-System High Level Block Diagram



Source: California Secretary of State's Voting Systems Technology Assessment

The block diagram is a graphic representation of the Dominion Voting System, both hardware and software. This illustrates the entire scope of Dominion's system workflow. Tuolumne County does not have or use all these features.