Tuolumne County
Administration Center
2 South Green Street
Sonora, CA 95370

Phone: (209) 533-5521
Fax: (209) 533-6549

Heather Ryan
Sr. Board Clerk of the
Board of Supervisors

BOARD OF SUPERVISORS
COUNTY OF TUOLUMNE

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August 15, 2023

Judge of Superior Court
Honorable Laura Krieg
Tuolumne County Superior Court
12855 Justice Center Drive
Sonora, CA 95370

Re: Response to Grand Jury Report – **Tuolumne County Elections Report dated June 30, 2023**

The following is submitted in response to the 2022-23 Grand Jury Report as it pertains to the Tuolumne County Elections Report. The Tuolumne County Board of Supervisors and the Tuolumne County Auditor-Controller/Registrar of Voters wish to extend their gratitude to the Grand Jury members for their time in preparing the final Grand Jury reports. Please accept this as a joint response.

Finding #1. 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.

Response: Agree.

Finding #2. 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:

Response: Disagree. There is a proofing process in place. Two different employees proof the ballots to ensure accuracy. This was an error as a result of redistricting. These few streets were not given Tuolumne Park and Recreation as part of their inventory. Redistricting only happens every 10 years. This has been for the next redistricting to compare prior and new inventory and the only change should be the supervisorial district and or maybe county school board.

Finding #3. 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.

Response: Agree. This was the first election with many observers. It was a learning experience. There is a Sheriff's deputy at the main door that will not allow anyone in that is not approved. But the observers do need stronger rules. In the future, they will be seated and not be able to walk around. We are also looking at getting cameras for the area of ballot counting and processing.

Finding #4. Safety of the election staff and election centers and ballot boxes should be of paramount concern. The TCGJ did not see a formal safety review or debriefing following the election.

Response: Agree. Normally there is a debriefing after each election. What went well and what did not go so well. During this election with the shortage of staff, the survey was not sent out. We plan to send it out before the next election.

Finding #5. In conjunction with the physical access concerns, a formal procedure for access to the Dominion hardware for software updates and election downloads was not readily available. The TCGJ did not see a formal procedure provided when all related documentation was requested.

Response: Disagree. The software updates are controlled and delivered by the State to the county. Dominion installs them on-site in view of staff. Proving hardware and soft processes is a security concern. What was provided to the TCGJ was the big-picture roles but not processes.

Finding #6. The VCA is fully implemented in Tuolumne in Tuolumne County. TCED has an extensive community outreach program.

Response: Agree.

Recommendation #1. 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 TCED creates and submits the files.

Response: Agree. Ballots do go through a proofing process. Two employees approve the ballot types and sign the proofs before it is sent to the ballot designer. They use the State official list for State and Federal candidates. Local candidates are proofed against their candidate files. The proof from the designer is then proofed again to make sure no typos. This is what the printer uses to produce the ballots. We also have a proof sheet from the printer on how many ballots are printed. This also goes to the State.

Recommendation #2. 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 the site and Dominion hardware access security plans.

Response: Agree. The two-person integrity rule is our practice. The staff knows that nothing is prepared, processed, or touched unless there is another staff member present.

Recommendation #3. A comprehensive volunteer and Election and Vote Center debrief plan should be established and fully documented, this should include protocols for ballot pick-ups, Vote Center ballot pick-ups and delivered to the Election Center. The TCGJ did not see any formal debrief procedures to document what went well and did not go well.

Response: Agree. Normally there is a debriefing after each election. What went well what did not go so well. During this election with the shortage of staff, the survey was not sent out. We plan to send it out before the next election. TCGJ was given the daily sheet for both ballot pick up and Vote Center ballot pick up. This is done by the Sheriff's Community service members. There have to be two members for all pickups. The Community Service team signs the form, the Vote Center worker signs the form, and staff at Election Center signs the form. All numbers are verified before the Community Service staff leaves.

Recommendation #4. The community outreach, voter presentations, printed material, and voter education through the media channels should be continuously improved. The TCGJ was impressed with the depth and breadth of the materials.

Response: Agree. We will continue to work with the State on Educational materials, deadlines, and due dates for voters. The radio station and newspaper are great partners in getting out the word.

We appreciate the opportunity to respond to the above findings and recommendations.

Sincerely,

Kathleen K. Haff,
Board Chair

Deborah Bautista
Deborah Bautista (Aug 15, 2023 16:17 PDT)

Deborah Bautista,
Tuolumne County Auditor/Controller & Registrar of Voters

ATTEST:

Heather Ryan
Heather Ryan, Sr. Board Clerk
Clerk of the Board of Supervisors

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

Heather Ryan
Sr. Board Clerk

By: Heather Ryan