



Contra
Costa
County

To: Board of Supervisors
From: David Twa, County Administrator
Date: July 10, 2018

Subject: RESPONSE TO CIVIL GRAND JURY REPORT NO. 1803, ENTITLED "VOTING SECURITY - INTEGRITY AND TRANSPARENCY"

RECOMMENDATION(S):

ADOPT report as the Board of Supervisors' response to Civil Grand Jury Report No. 1803, entitled "Voting Security - Integrity and Transparency", and DIRECT the Clerk of the Board to transmit the Board's response to the Superior Court no later than July 20, 2018.

FISCAL IMPACT:

No fiscal impact.

BACKGROUND:

The 2017/18 Civil Grand Jury filed the above-referenced report, attached, on April 23, 2018, which was reviewed by the Board of Supervisors and subsequently referred to the Clerk-Recorder and County Administrator, who prepared the attached response that clearly specifies:

- A. Whether the finding or recommendation is accepted or will be implemented;
- B. If a recommendation is accepted, a statement as to who will be responsible for implementation and a definite target date;
- C. A delineation of the constraints if a recommendation is accepted but cannot be implemented within a six-month period; and
- D. The reason for not accepting or adopting a finding or recommendation.

APPROVE

OTHER

RECOMMENDATION OF CNTY
ADMINISTRATOR

RECOMMENDATION OF BOARD
COMMITTEE

Action of Board On: **07/10/2018** APPROVED AS RECOMMENDED OTHER

Clerks Notes:

VOTE OF SUPERVISORS

AYE: John Gioia, District I Supervisor
Candace Andersen, District II Supervisor
Diane Burgis, District III Supervisor
Karen Mitchoff, District IV Supervisor
Federal D. Glover, District V Supervisor

I hereby certify that this is a true and correct copy of an action taken and entered on the minutes of the Board of Supervisors on the date shown.

ATTESTED: July 10, 2018

David J. Twa, County Administrator and Clerk of the Board of Supervisors

Contact: Julie DiMaggio Enea
(925) 335-1077

By: June McHuen, Deputy

BACKGROUND: (CONT'D)

The California Penal Code specifies that the Board of Supervisors must forward its response to the Superior Court no later than July 22, 2018 (90 days from receipt).

FINDINGS

F1. For the last ten years, there have been no reported significant security or voter fraud issues with County elections.

F1 Response. The respondent agrees with the finding.

F2. The CRO is following good cyber security and logistical security practices, with a process that is as open and accountable as is practicable under current law.

F2 Response. The respondent agrees with the finding.

F3. The County's voting machinery is reaching the end of its maintainable life, but the County expects to implement a new system for the June 2018 election. The CRO had put aside sufficient funds for a new voting system and recommended one for purchase, which the Board of Supervisors unanimously approved.

F3 Response. The respondent agrees with the finding. The CRO implemented a new voting system earlier this year.

F4. Vote-by-mail is the more secure method of voting in the County, simplifying logistics and avoiding the “single point of failure” where a traffic accident could wipe out all voter records for multiple polling locations.

F4 Response. The respondent agrees with the finding.

F5. Implementation of SB 450, the California Voter’s Choice Act, is not mandated. Before determining whether to implement the law, Contra Costa County is waiting to see how the law affects other counties that have chosen to implement the law, especially as it relates to the optimal number of voter centers and drop-off locations needed.

F5 Response. The respondent agrees with the finding.

F6. The implementation of VoteCal, the new State-wide voter registration system, introduces the facility for automated updates, and it is now connected to the DMV.

F6 Response. The respondent agrees with the finding.

F7. The CRO is preparing a threat and vulnerability assessment of the new system, which is planned to complete prior to the June 2018 primary election.

F7 Response. The respondent agrees with the finding.

F8. The CRO follows good practice in system redundancy and backup, and has a business continuity plan with Sacramento County to provide reciprocal vote counting support since each county has the same voting system. The Memorandum of Understanding and plan covering the agreement are not yet updated to include the new voting system.

F8 Response. The respondent agrees with the finding.

RECOMMENDATIONS

R1. The CRO should consider completing its threat and vulnerability assessment of its overall operation, and implement any recommended changes to its procedures per its current timetable – prior to the June 2018 election.

R1 Response. The recommendation requires further analysis. The CRO continues to develop and refine the threat and vulnerability assessment, and implement changes as needed. Threats and risks are not static and assessments need to be continuously reviewed and updated to reflect the current situation.

R2. The Grand Jury recommends that the CRO consider updating its business continuity plan and Memorandum of Understanding with Sacramento County prior to the June 2018 election, and then test the plan's effectiveness on a regular basis.

R2 Response. The recommendation has not yet been implemented, but will likely be implemented prior to the November 2018 election. In any case, the previous agreement with Sacramento County is still in effect, as the primary changes contemplated in the new MOU are merely in the nomenclature of the common voting system components.

ATTACHMENTS

2017/18 Grand Jury Report No. 1803: "Voting Security - Integrity and Transparency"