

# MONTEREY COUNTY

## COUNTY ADMINISTRATIVE OFFICE

LEW C. BAUMAN  
COUNTY ADMINISTRATIVE OFFICER

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August 31, 2017

The Honorable Mark E. Hood  
Presiding Judge of the Superior Court  
Monterey County Superior Courts  
240 Church Street  
Salinas, CA 93901

**SUBJECT:** Response to 2016-2017 Monterey County Civil Grand Jury Final Report  
"A Top to Bottom Review of Monterey County Elections Department (MCED)"

Dear Judge Hood:

Attached please find the Monterey County Board of Supervisors Response to 2016-2017 Monterey County Civil Grand Jury Final Report "A Top to Bottom Review of Monterey County Elections Department (MCED)" and the signed Board Order. The Board of Supervisors approved the response on August 29, 2017, which complies with the requirements set forth in Sections 933 and 933.05 of the California Penal Code.

The Board approved response should be deemed and accepted by the Presiding Judge of the Superior Court of Monterey County and the Monterey County Civil Grand Jury as the response of the Board of Supervisors, County Administrative Officer, and appointed department heads.

Sincerely,

Lew C. Bauman  
County Administrative Officer

By: Manuel T. Gonzalez  
Assistant County Administrative Officer

MTG:mri

cc: Lew C. Bauman, County Administrative Officer  
Office of the County Counsel

Attachments: Board of Supervisors Response  
August 29, 2017 Board Order



## Monterey County Board of Supervisors

168 West Alisal Street,  
1st Floor  
Salinas, CA 93901  
831.755.5066

### Board Order

Upon motion of Supervisor Parker, seconded by Supervisor Alejo and carried by those members present, the Board of Supervisors hereby:

- a. Approved of the response to the 2016 - 2017 Monterey County Civil Grand Jury Final Report: "A Top to Bottom Review of Monterey County Elections Department"; and
- b. Directed the County Administrative Officer to file the approved response with the Presiding Judge of the Superior Court, County of Monterey, by September 4, 2017.

PASSED AND ADOPTED this 29th day of August 2017, by the following vote, to wit:

AYES: Supervisors Alejo, Phillips, Parker and Adams

NOES: None

ABSENT: Supervisor Salinas

I, Gail T. Borkowski, Clerk of the Board of Supervisors of the County of Monterey, State of California, hereby certify that the foregoing is a true copy of an original order of said Board of Supervisors duly made and entered in the minutes thereof of Minute Book 80 for the meeting August 29, 2017.

Dated: August 30, 2017  
File ID: 17-0852

Gail T. Borkowski, Clerk of the Board of Supervisors  
County of Monterey, State of California

By  Deputy



# **Monterey County Board of Supervisors**

## **Response to the**

## **2016-2017 Monterey County Civil Grand Jury Final Report**

### **A TOP TO BOTTOM REVIEW OF MONTEREY COUNTY ELECTIONS DEPARTMENT (MCED)**

**August 29, 2017**

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## **II. A Top to Bottom Review of Monterey County Elections Department (MCED) RECOMMENDATIONS**

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**REPORT TITLE:** A Top to Bottom Review of Monterey County Elections Department (MCED)  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Findings F-1, F-2, F-3, F-4, F-5, F-6, F-7, and F-8

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F1. The VoteCal voter registration database is a helpful tool to aid each county elections department. It is impossible to have up-to-date information if the other 49 states do not share vital information regarding changes of address, death's, etc. The state of California could lead the charge to ask for increased collaboration between the states.

**Response F1:**

**The Board of Supervisors agree with this finding. The California Secretary of State, who serves as the state's Chief Elections Officer, is an active member of the National Association of the Secretaries of State. As such, the office of the Secretary of State is the appropriate agent to address F1.**

F2. The Monterey County Civil Grand Jury found no evidence of "rigging" or "Hacking" during the 2016 election process. Security measures by the MCED preclude the possibility of such a manipulation of the election results. Given the information determined during the investigation, the MCCGJ finds any assertions that "rigging" or "hacking" could or has occurred, to be unsupported by the facts and, therefore, false.

**Response F2:**

**The Board of Supervisors agree with this finding**

F3. The MCCGJ did learn that the DREs, purchased in 1998, are very outdated and expensive to maintain. Replacement parts are almost impossible to locate or non-existent.

**Response F3:**

**The Board of Supervisors agree with this finding and offers clarification. In 1998, a small number of DREs were purchased to assist with early vote centers. MCED expanded use of the DREs in 2005 with the purchase of the additional units.**

F4. MCED does an excellent job in handling the ballots, securing the equipment and effectively tabulating the ballots. However, voter experiences at polling locations differ. Some have short waits, others much longer. The number of staffers in some locations is adequate and those staff members are well trained and welcoming. In other locations, the wait to vote is much longer.

**Response F4:**

**The Board of Supervisors partially agrees with this finding. A rigorous security system, including chain of custody for ballots and equipment, is in place. There were no reports of staffing shortages or excessive wait times during the November 2016 Election.**

F5. MCED is in need of modern electronic voting machines, with up-to-date and secure software, and state of the art ballot tabulation modules.

**Response F5:**

**The Board of Supervisors agree with this finding**

F6. MCED election-day process would benefit from polling place feedback from the voters, clerks, and inspectors. Feedback would improve the voting experience by illuminating issues such as long lines, any inadequately trained polling place staff, parking and accessibility issues.

**Response F6:**

**The Board of Supervisors agree with this finding. Voters and poll workers have a mechanism for feedback including the general email address and voter hotline and the voter hotline at the office of the Secretary of State. All contact information is published in voting material, at polling places, and on the MCED website. In addition, MCED periodically conducts surveys of voters at polling places and of poll workers at training.**

F7. The MCCGJ found all the interviewed employees of the Monterey County Elections Department to be transparent with their answers and very knowledgeable concerning their duties and responsibilities.

**Response F7:**

**The Board of Supervisors agree with this finding**

F8. The MCCGJ recognizes the outstanding job performed by the MCED and the valuable service they provide to the voters of our county.

**Response F8:**

**The Board of Supervisors agree with this finding**

**REPORT TITLE:** A Top to Bottom Review of Monterey County Elections Department (MCED)  
**RESPONSE BY:** Monterey County Board of Supervisors  
**RESPONSE TO:** Recommendations R-1, and R-2

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**R1:** MCED to acquire new voting and tabulating machines.

**Response R1:**

This recommendation has not yet been implemented. MCED is in the process of leasing updated tabulation equipment. The tabulation equipment will be in place no later than 2018. As part of the MCED strategic plan, the process to replace the accessible voting system will begin in 2021, when it is anticipated that a sufficient number of voting equipment systems will be available in the marketplace to initiate a RFP.

**R2:** MCED staff initiate polling place surveys or online portal for voters, clerks and inspectors to provide feedback.

**Response R2:**

This recommendation has been implemented. An online portal for voters and poll workers exists on our website. Additional links will be prominently displayed within our website and advertised at polling places and poll worker materials.