



Los Angeles County Registrar-Recorder/County Clerk

DEAN C. LOGAN
Registrar-Recorder/County Clerk

NEWS RELEASE

FOR IMMEDIATE RELEASE

August 21, 2018

Contact

Brenda Duran: (562) 462-2726
Media & Communications: (562) 462-2648
bduran@rrcc.lacounty.gov
mediainfo@rrcc.lacounty.gov

Secretary of State Alex Padilla Certifies Los Angeles County's New Vote Tally System Making it California's First Certified Open-Source Election Technology

LOS ANGELES – Today, California Secretary of State Alex Padilla certified Los Angeles County's Voting Solutions for All People (VSAP) Tally Version 1.0, making it the first publicly-owned, open-source election tally system certified under the California voting systems standards.

"With security on the minds of elections officials and the public, open-source technology has the potential to further modernize election administration, security, and transparency," said Secretary of State Alex Padilla. "Los Angeles County's VSAP vote tally system is now California's first certified election system to use open-source technology. This publicly-owned technology represents a significant step in the future of elections in California and across the country."

As part of the certification process, the system went through rigorous functional and security testing conducted by the Secretary of State's staff and a certified voting system test lab. The testing ensured the system's compliance with California and federal laws, including the California Voting System Standards (CVSS).

The certification of the VSAP Tally solution now allows Los Angeles County to move forward with its newly redesigned VSAP Vote by Mail (VBM) ballots for the November 6, 2018 General Election.

"This is a significant milestone in our efforts to implement a new voting experience for the voters of Los Angeles County," said Dean C. Logan, Registrar-Recorder/County Clerk. "The VSAP Tally System will ensure that new Vote by Mail ballots cast in the upcoming November election will be counted accurately and securely."

The RR/CC will begin issuing the newly redesigned VBM packets on October 9. The packets will include a new, easy-to-use full-face ballot, return envelope, secrecy sleeve and an "I Voted" sticker. And no postage will be required on the return envelope.

The newly designed VBM is the first step in implementing a new voting experience for LA County voters that is more accessible and convenient. To learn more about further changes coming to Los Angeles County in 2020 through the Voter's Choice Act, visit VotersChoice.sos.ca.gov or vsap.lavote.net.

The mission of the Registrar-Recorder/County Clerk is to serve Los Angeles County by providing essential records management and election services in a fair, accessible and transparent manner. For more information, visit lavote.net and follow us on Twitter [@LACountyRRCC](https://twitter.com/LACountyRRCC).

###





Chris Jerdonek <chris.jerdonek@gmail.com>

Public Records Request: source code for open-source VSAP Tally Version 1.0

Chris Jerdonek <chris.jerdonek@gmail.com>

Sat, Aug 25, 2018 at 1:18 PM

To: publicrecords@rrcc.lacounty.gov

Hi,

I would like to request under the California Public Records Act or Los Angeles County's public records policy (whichever results in greater disclosure) a copy of the source code for the open-source Voting Solutions for All People (VSAP) Tally Version 1.0 election tally system.

The VSAP Tally Version 1.0 was identified and described in the following August 21, 2018 LA County press release as "the first publicly-owned, open-source election tally system certified under the California voting systems standards" (I'm also attaching a copy):

https://www.lavote.net/docs/rrcc/news-releases/08212018_SOS-Certified-Tally.pdf

Thank you,
Chris Jerdonek

 **08212018_sos-certified-tally.pdf**
400K



Chris Jerdonek <chris.jerdonek@gmail.com>

Public Records Act Request - Response

Ebony Browder <EBrowder@counsel.lacounty.gov>

Fri, Sep 7, 2018 at 5:06 PM

To: "chris.jerdonek@gmail.com" <chris.jerdonek@gmail.com>

Cc: Gina Eachus <GEachus@counsel.lacounty.gov>, Dean Logan <DLogan@rrcc.lacounty.gov>

Good Evening,

Per County Counsel's request, please see the attached document. For further questions or concerns, please contact Senior Deputy County Counsel Gina Eachus, via email at GEachus@counsel.lacounty.gov.

Thank you,

Ebony Browder

Legal Office Support Assistant I

Office of The County Counsel,

Government Services Division

Phone: (213) 974-5853

Fax: (213) 617-7182

Email: EBrowder@counsel.lacounty.gov

CONFIDENTIALITY NOTICE: This email message, including any attachments, from the Office of the County Counsel is intended for the official and confidential use of the recipients to whom it is addressed. It contains information that may be confidential, privileged, attorney work product, or otherwise exempted from disclosure under applicable law. If you have received this message in error, be advised that any review, disclosure, use, dissemination, distribution, or reproduction of this message or its contents is strictly prohibited. Please notify us immediately by reply email that you have received this message in error, and destroy this message, including any attachments.

**PRA RESPONSE - JERDONEK.pdf**

262K



COUNTY OF LOS ANGELES
OFFICE OF THE COUNTY COUNSEL

648 KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET
LOS ANGELES, CALIFORNIA 90012-2713

MARY C. WICKHAM
County Counsel

September 7, 2018

TELEPHONE
(213) 974-1832
FACSIMILE
(213) 617-7182
TDD
(213) 633-0901

Chris Jerdonek
chris.jerdonek@gmail.com

Re: Public Records Act Request

Dear Mr. Jerdonek:

This is in response to your California Public Records Act submitted on August 25, 2018, and received by the Los Angeles County Registrar-Recorder/County Clerk ("Registrar") on August 27, 2018. Your request has been forwarded to our office for a response. The request sought:

"a copy of the source code for the open-source Voting Solutions for All People (VSAP) Tally Version 1.0."

After undertaking a search and review of records, we have determined that there are responsive records to your request. Please note that the records contain information exempt from disclosure due to the following specific exemptions:

1. Records exempt or prohibited from disclosure by federal or State-law.

Government Code section 6254(k) exempts from disclosure records which are exempt or prohibited from disclosure under federal or State-law, including communications which are private, shows deliberative process, or would create a potential security risk from releasing official information. (*Times Mirror Company v. Superior Court of Sacramento County* (1991) 53 Cal.3d 1325; *Rogers v. Superior Court* (1993) 19 Cal.App.4th 469.) State-law protects confidential and proprietary information from disclosure. (See, e.g., Govt. Code §§ 6254(k), 6255(a); Evid. Code §§ 954, 1040, 1060.) Federal, State, and common law also protect trade secrets from disclosure. (See, e.g., Evid. Code § 1060; and Civ. Code §§ 3426-3426.11.)

The Registrar is actively working with the Secretary of State's Office to determine its requirements for disclosure of a certified voting system, including

any necessary security protections for that disclosure. Until those disclosure requirements and safeguards are determined and met, the County must maintain the confidentiality and trade secret nature of the Tally System. Responsive records are, therefore, exempt from disclosure, and will not be disclosed.

2. Information technology systems of a public agency.

Government Code section 6254.19 exempts the disclosure of records, if on the facts of the particular case, disclosure would reveal vulnerabilities to attack or would otherwise increase the potential for an attack on the public agency's information technology system. The need to protect the integrity of the public agency information systems warrants the limitation on the public's access to the records stored in the information technology system.

Any release of the Tally System before the voting system requirements are determined and the necessary security protections for disclosure are identified that would potentially open the County up to attack, and the public interest is not served in its disclosure without those safeguards. Responsive records where disclosure could lead to weakness in the public agency's information security systems are, therefore, exempt and will not be disclosed.

3. Records where the facts of the particular case dictate that the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record.

Government Code section 6255(a) allows an agency to withhold a record when the public interest served by withholding the record clearly outweighs the public interest in disclosure. Responsive records that contain details, which are part of the deliberative process, proprietary, include trade secrets, or could create a security risk and vulnerability in the agency's information technology system, are, therefore, exempt and will not be disclosed. (*CBS Broadcasting, Inc. v. Superior Court* (2001) 91 Cal.App.4th 892; *Times Mirror Co. v. Superior Court* (1991) 53 Cal.3d 1325; *Rogers v. Superior Court* (1993) 19 Cal.App.4th 469.)

The Registrar is actively pursuing appropriate ways to make the Tally System available in the future.

Chris Jerdonek
September 7, 2018
Page 3

If you need any assistance, please feel free to contact me at (213) 974-1832.

Very truly yours,

MARY C. WICKHAM
County Counsel

By



GINA EACHUS
Senior Deputy County Counsel
Government Services Division

APPROVED AND RELEASED:



LAWRENCE L. HAFETZ
Chief Deputy

GE:eb

c: Dean C. Logan, Registrar-Recorder/County Clerk