

OFFICE OF COUNTY COUNSEL

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May 16, 2016

By: U.S. Mail and email: raylutz@citizenoversight.org

Ray Lutz
Citizens' Oversight Projects
771 Jamacha Rd. #148
El Cajon, CA 92019

Re: Citizens' Oversight Projects – Polling Information Request

Dear Mr. Lutz,

This letter is in response to the above-referenced request to Rebecca Martinez, Madera County Clerk-Recorder/Registrar of Voters.

On behalf of Ms. Martinez, we thank you for your interest in the election process in Madera County. To the extent that you would like to participate as an observer, you are welcome to do so, as are all other observers. To the extent that you are requesting that we provide additional services or access, we are unable to do so for the reasons explained below.

Documents responsive to your request do not presently exist and cannot be produced. However, information regarding election results is made available to the public on the County website: <http://madera-county.com/index.php/electionsdept>.

You also requested we implement the "Snapshot Protocol." We are unaware of any provision of law that requires adherence to this protocol. Nevertheless, we will attempt to assist you with your request, subject to the limitations described below.

Because the elections process varies somewhat among counties, the following information may be of assistance.

The random drawing of precincts, for the 1% manual tally will commence on Thursday, June 9 at 8:00 a.m. Once the random precincts have been determined, summary reports will be produced for each such precinct drawn that will provide the Election night totals. Each precinct report contains a date and time stamp for reference.

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Once the 1% manual tally is complete, you may request copies of the tally sheets and of the final documentation provided to the Secretary of State for a fee of \$0.10 per page.


You may use these documents to compare our 1% result with the totals from Election night. Precinct reports will not be uploaded due to data security concerns. Further, precinct reports are not customarily posted to the Madera County Elections website and will not be so posted.

Individual precinct report data resides on proprietary software and is not exportable to PDF, or otherwise, as the software is currently configured. On Election night the Madera County Clerk-Recorder/Registrar of Voters office does not print individual precinct report data for its own purposes, so "hard copies" do not exist, nor do PDF's.

During the official canvass, Election night totals are not updated. Madera County produces two results for our elections: Election night results and the final Certified results. Upon certification, official precinct-by-precinct results will become a part of the Statement of the Vote which shall be posted on our website in both PDF and Excel formats. Finally, we note that neither the "snapshot data" nor the manual tally report that you are requesting currently exists. Documents generated by Madera County will be provided to you pursuant to the Public Records Act as outlined above.

Sincerely,

COUNTY COUNSEL

By: 
Luke E. Bernthal, Esq.

LEB:sra

cc: Rebecca Martinez, Madera County Clerk-Recorder