



Santa Cruz County
Civil Grand Jury

Grand Jury <grandjury@scgrandjury.org>

19-20 Grand Jury Report Responses

1 message

David Brown <David.Brown@santacruzcounty.us>
To: "grandjury@scgrandjury.org" <grandjury@scgrandjury.org>

Tue, Oct 20, 2020 at 9:42 AM

Greetings Grand Jury,

Please find the County responses to the 19-20 Grand Jury Reports attached for your records.

Thank you,

Dave

David Brown

Senior Administrative Analyst

County Administrative Office

County of Santa Cruz

O: (831) 454-3490

C: (831) 227-1661

My pronouns are: he/him/his

13 attachments

Fail in the Jail _BoS_Packet.pdf
181K

Fail_in_the_Jail_CAO_Packet.pdf
184K

BOS FireInspection BOS Response Packet.pdf
181K

GSD FireInspection Response Packet.pdf
174K

BOS Response - Homelessness - Big Problem Little Progress - It's Time to Think Outside The Box.pdf
289K

CAO Response - Homelessness - Big Problem Little Progress - It's Time to Think Outside The Box.pdf
207K

 **CAO Response - Ready Aim Fire!.pdf**
258K


 **SCCFD Response - Ready Aim Fire!.pdf**
239K

 **BOS Response - Ready Aim Fire!.pdf**
256K

 **2020.08.26 TangledWeb_BoS_Packet.pdf**
222K

 **2020.08.26 TangledWeb_CAO_Packet.pdf**
222K

 **Voter Data Clerk Response.pdf**
179K

 **VoterData_BoS_Packet.pdf**
180K



**The 2019–2020 Santa Cruz County Civil Grand Jury
Requires that the**

Santa Cruz County Clerk

**Respond to the Findings and Recommendations
Specified in the Report Titled**

**Voter Data – Registering Concerns
Keeping a Closer Eye on the Distribution of County Voter
Registration Data**

by August 18, 2020

When the response is complete, please

1. Email the completed Response Packet as a file attachment to grandjury@scgrandjury.org, and
2. Print and send a hard copy of the completed Response Packet to

The Honorable Judge John Gallagher
Santa Cruz Courthouse
701 Ocean St.
Santa Cruz, CA 95060

Instructions for Respondents

California law PC §933.05 (included [below](#)) requires the respondent to a Grand Jury report to comment on each finding and recommendation within a report. Explanations for disagreements and timeframes for further implementation or analysis must be provided. Please follow the format below when preparing the responses.

Response Format

1. For the Findings included in this Response Packet, select one of the following responses and provide the required additional information:
 - a. **AGREE** with the Finding, or
 - b. **PARTIALLY DISAGREE** with the Finding and specify the portion of the Finding that is disputed and include an explanation of the reasons therefor, or
 - c. **DISAGREE** with the Finding and provide an explanation of the reasons therefor.
2. For the Recommendations included in this Response Packet, select one of the following actions and provide the required additional information:
 - a. **HAS BEEN IMPLEMENTED**, with a summary regarding the implemented action, or
 - b. **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE**, with a timeframe or expected date for implementation, or
 - c. **REQUIRES FURTHER ANALYSIS**, with an explanation and the scope and parameters of an analysis or study, and a timeframe for that analysis or study; this timeframe shall not exceed six months from the date of publication of the grand jury report, or
 - d. **WILL NOT BE IMPLEMENTED** because it is not warranted or is not reasonable, with an explanation therefor.

If you have questions about this response form, please contact the Grand Jury by calling 831-454-2099 or by sending an email to grandjury@scgrandjury.org.

Findings

F1. Risk of misuse of voter registration data acquired by ELEC_2194 (1994) could be mitigated by stronger security measures at the County of Santa Cruz level.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

F2. County Applicants are not informed of recent amendments to ELEC_2188 (1994), and thus may not be taking all reasonable precautions to protect voter registration data, avoid data breaches, and report breaches if they occur.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

Recommendations

R1. In Distributed Data that is provided to County Recipients, the County Elections Department should replace voter full date of birth with year of birth only. This action should be implemented before the end of FY2021. (F1)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Response explanation, summary, and timeframe:

We are working with the vendor to make an enhancement to the report to amend the date of birth field to reflect just the birth year. The vendor will complete this enhancement request after the November 3, 2020 election. In the interim, we will delete the date of birth field from any data requests until the enhancement is completed, which will be by the end of FY 2021.

R2. On appropriate website pages, the County Elections Department should include links to the full text of all relevant statutes. In addition, the County Application should conform to the State Application by including the full text of relevant statutes. These actions should be implemented before the end of FY2021. (F2)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

We will include the full text of all relevant statutes and conform our application to the Secretary of State’s application by the end of FY 2021.

R3. The County Elections Department should modify the County Application to conform to the State Application by requiring the County Applicant to provide a narrative stating the intended use of the Distributed Data, as well as how the Distributed Data will be secured. This action should be implemented before the end of FY2021. (F2)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

We will modify our County application to conform to the Secretary of State’s application which requires a narrative stating the intended use of the data as well as how the data will be secured. We will do that before the end of FY 2021.

R4. The County Elections Department should incorporate amendments to ELEC 2188 (1994), as specified in AB 1678 and AB 1044, in the County Application and website information, namely that County Recipients must inform the SoS of a data breach, and that County Applicants may be subject to data security training. This action should be implemented before the end of FY2021.
(F2)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

We will incorporate the changes in our County application before the end of FY 2021.

R5. The County Elections Department should provide County Applicants with data security training, consistent with any guidance from the SoS, with the goal of implementing best practices aimed at protecting voter registration data. This action should be implemented before the end of FY2021. (F2)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

The Department will work with the Secretary of State’s office to obtain the data security training and will tailor it to be specific to Santa Cruz County. Once amended the training will be reviewed by the County Information Services Department to ensure it addresses all the County’s policies and procedures before being offered to applicants. This will be completed by the end of FY 2021.

R6. The County Elections Department should encrypt Distributed Data to prevent data tampering and unauthorized use. This action should be implemented before the end of FY2021. (F1)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

The Department has begun use 128-bit encryption to encrypt all data files prior to releasing to the applicant.

Penal Code §933.05

1. For Purposes of subdivision (b) of §933, as to each Grand Jury finding, the responding person or entity shall indicate one of the following:
 - a. the respondent agrees with the finding,
 - b. the respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
2. For purpose of subdivision (b) of §933, as to each Grand Jury recommendation, the responding person shall report one of the following actions:
 - a. the recommendation has been implemented, with a summary regarding the implemented action,
 - b. the recommendation has not yet been implemented but will be implemented in the future, with a timeframe for implementation,
 - c. the recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of the publication of the Grand Jury report, or
 - d. the recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
3. However, if a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a County department headed by an elected officer, both the department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected department head shall address all aspects of the findings or recommendations affecting his or her department.
4. A Grand Jury may request a subject person or entity to come before the Grand Jury for the purpose of reading and discussing the findings of the Grand Jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
5. During an investigation, the Grand Jury shall meet with the subject of that investigation regarding that investigation unless the court, either on its own determination or upon request of the foreperson of the Grand Jury, determines that such a meeting would be detrimental.
6. A Grand Jury shall provide to the affected agency a copy of the portion of the Grand Jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. **No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.**