<center>Statement by John Tuteur, Napa County Registrar of Voters</center>

I am John Tuteur, Napa County Assessor-Recorder-County Clerk and Registrar of Voters.

Napa County has been using Sequoia Voting Systems Federal and State certified Edge I touch screen equipment since March 2002 on a pilot project basis and since March 2004 on a full-fledged basis. We have also been using Sequoia Voting Systems Federal and State certified Optech optical scan paper ballots and 400C central count tabulation system since March 2003. Over 105,000 electronic ballots have been cast on our touch screen machines and a slightly smaller number of optical scan ballots.

Our county invested in touch screen technology only after 1700 voters, ranging in age from 18 to 97, unanimously found the system accessible, secure and voter-friendly during our pilot project. There has never been any question about the accuracy or security of the touch screen results for the five statewide elections that we have conducted since the pilot project concluded.

We have used Sequoia's Optical Scan paper ballots in seven major elections beginning in March 2003. We had a contested supervisorial election in March 2004 involving optical scan ballots that went to Napa Superior Court. The court found our conduct of the election was correct and upheld the final results. California's post-election procedures, such as the 1% manual tally, have proven that the final results of electronic and optical scan voting systems are accurate and able to withstand judicial scrutiny.

In November 2006 a losing candidate in a municipal election paid for a recount. We hand tallied over 2000 paper trail ballots and over 1300 optical scan ballots. The hand tally did not vary by a single vote from the electronic results that produced the official canvass.

Attached to this statement are six pages of statutory, Secretary of State or vendor-suggested procedures we have in place to insure accurate and secure elections. The procedures include but are not limited to:
➤ security of the voting equipment, before during and after the election
➤ security of Optical Scan paper ballots, before during and after the election
➤ security of our election management system and tabulation software and the servers on which they reside
➤ pre and post election Logic and Accuracy Testing
➤ poll worker training
➤ use of trained technicians on Election Day to assist with any equipment or voter issues at our 99 polling places which use touch screen voting technology exclusively
➤ use of Voter Verified Paper Audit Trail printers

The top to bottom review has no relevance to the real-world conduct of elections within the framework I have just discussed and has wasted almost $1 million of scarce Federal funds. This top to bottom review deserves the same admonition that I gave to former Secretary Kevin Shelley after his decertification fiasco. Secretary Bowen, you should know better than to erode the public's confidence in California's fair and accurate elections process for crass political purposes. Shame on you.

COUNTY NAME:	NAPA
COUNTY ELECTION PLAN PROCEDURES	**COMPLETED**
General	**Y/N/NA**
Election Communications	
Procedures in place to ensure quick communication with poll workers in case of emergency	Y
Bank of phones solely designated for poll workers to call and ask questions	Y
50% or more of polling places have public telephone access	Y
Phones are close enough for poll workers to use to contact county elections office	Y
Poll workers are provided information on calling collect	Y
Polling locations have convenient pay phones	Y
Record the cell phone and/or pager numbers of poll workers	Y
Inform poll workers to keep phones turned on in case they need to be contacted	Y
Remind poll workers to charge phones before election day	Y
Provide cell phone to precinct captain	Y for certain locations
Extensive system of trouble shooters or rovers	Y
1:6 ratio of trouble shooters to polling places or better	N
Rovers/trouble shooters check in with polling places at least 3 times a day or more	Y
Rovers/trouble shooters required to check in with elections office at least twice a day	Y
Poll workers notified to handle a systemic problem with equipment through troubleshooters/rovers	Y
County has safety and security plan to handle election day emergencies and incidents	Y
Physical Security	
Systems Security Plan to ensure info provided by election systems is confidential, available, accurate	Y
Voting equipment is stored in secured facility (locked)	Y
Secured facility is equipped with security alarm	Y
Secured facility is equipped with surveillance cameras	N
Secured facility had limited access via key card, security card or ID badge	N
Secured facility is protected by security service	Y
Only authorized personnel permitted in certain areas of elections office or elections warehouse	Y
Ballots stored in secured facility	Y
Secured facility is equipped with security alarm	Y
Secured facility is equipped with surveillance cameras	Y
Secured facility has limited access via key card, security card or ID badge	Y
Secured facility is protected by security service	N
Software upgrades verified as state certified	Y
County employee installs upgrades	Y
Vendor installs upgrades	N
Vendors sometimes handle voting equipment	Y w/ direct supervision
County employee present when vendor handles equipment	Y
Host computer for server is isolated from other networks	Y
Wireless internet disabled or absent from computers used to host server	Y
Poll workers and transportation of voting equipment	
Poll workers complete detailed application form	Y
Poll workers must attend at least 4 hours of training or *more*	Y
Poll workers attend 3 hours of training or *less*	N
Poll workers are provided with poll worker manual following training	Y
Poll workers are able to receive additional training via county website or CD rom	N
Poll workers are given video or DVD in addition to regular training	N
Background check conducted on poll workers	N
Voting equipment transported by county employees	Y
Voting equipment transported by poll workers	Y VVPAT and Activate
Voting equipment transported by third party	N
Delivery of voting equipment to polling place occurs 5 days or *more* before election day	Y
Delivery of voting equipment to polling place occurs 3 days or *more* before election day	included above
Delivery of voting equipment to polling place occurs 1 day or *more* before election day	included above
Voting equipment is delivered on day of election	N
Ballots are transported to polling place 1 day or *more* before election day	N/A
Ballots are delivered on day of election	In emergency only
Ballots are delivered by county employee	Y
Ballots are delivered by poll worker	Y if needed
Ballots are delivered by third party	N
If poll workers transport voting equipment they receive equipment 5 days or *more* prior to election day	N
If poll workers transport voting equipment they receive equipment 4 days or *less* prior to election day	N
If poll workers transport ballots they receive them 5 days or *more* prior to election day	N/A
If poll workers transport ballots they receive them 4 days or *less* prior to election day	N/A
Poll workers receive ballots on day of election	N/A except emergenc
If received prior to election day voting equipment is stored in secure location	Y
If received prior to election day ballots are stored in secure location	N/A
Tamper evident seals are used to secure voting equipment	Y
Unused ballots are secured in ballot box, transport bag or other	N/A
All equipment and ballots are inventoried before and after arriving at polling place	Y
Custody logs are maintained for all voting equipment	Y
Custody logs are maintained for ballots	N/A
Precinct inspector or other is required to sign for voting equipment/materials upon delivery	Y
Serialized or other tamper proof/evident seals placed on all ports where MC,or other memory device inserted	Y

Poll workers are trained to be alert for signs of tampering	Y
Poll workers are to contact Elections Office or Precinct Inspector if tampering is suspected	Y
Poll workers log instances of tampering	Y never occurred
Poll workers log instances of anomaly	Y
Rovers are deployed to respond to possible tampering or equipment anomaly	Y
If a unit is unusable due to security requirement, poll workers contact Elections Office	Y
Rovers are deployed to attend to security requirement issues	Y
Election Day	
Poll workers are trained to only issue a card to a voter once voting station is available	Y
Poll workers are trained to ensure line forms at registration table not voting stations	Y
Troubleshooters, rovers or other election assistants circulate to polling places Election Day	Y
Post Election	
Operational Plan addressing the control and security of ballot transportation to CTF	N/A
Transportation of election materials to central count is done by at least two EO/poll workers	Y
Sheriff or other police escort of ballots/election materials to tabulation facility	N
Election tabulation premises is secure (locked)	Y
Election tabulation facility equipped with alarm	Y
Election tabulation facility equipped with surveillance cameras	Y
Special key card, security card or badge required for access to tabulation area	Y
Security personnel on hand to provide additional security to tabulation facility	N
Sheriff stationed at tabulation facility until completion of tabulation process	N
Printed results tapes and back up copy of tabulation placed in secure location after tabulation	Y
Results tapes and back up copy of tabulation remain in secured storage at least 22 months	Y
Event logs, ballot images, summary totals from each MD backed up on tabulation database	Y
Audit logs of every action and operating on any voting equipment or software are retained	Y
Tabulation server is isolated from other networks	Y
Third party used to evaluate the physical security of facility	N
███	
Elections Official (EO) inspects and certifies accuracy of voting equipment every 2 years	Y
EO prepares list, including quantities of all equipment to be used to tabulate votes	Y
Voting tabulation equipment certified for use in elections by SOS prior to use in election	Y
Filed Election Observer Panel Plan with SOS prior to most recent election	Y
Filed plan for voter and poll worker education with SOS at least 30 days prior to most recent election	Y
Conduct poll worker and voter training on appropriate elements of systems	Y
Voting system complies with all applicable state and federal statutes, rules and regulations	Y
Complied with provisions set out in vendor use procedures including:	
Each MP or MC shall have a permanent serial number assigned and affixed to it	Y
Each MP or MC shall be programmed in secured facility under supervision of ROV staff	Y
Once MP or MC is programmed it must be immediately inserted into assigned unit and sealed	Y
Seals must be tamper evident and placed on equipment by ROV staff	Y
Serial number of seal must be logged onto tracking sheet	N
County must maintain written log recording which seals are assigned to which units	N
Any breach of control over MP or MC before election shall require its contents be zeroed	Y
Integrity of tamper evident seals must be verified by precinct officer on election day	Y
Serial numbers of seals must be verified by two ROV staff against the log on election day	N
If seal broken or discrepancy, condition must be confirmed and reported to CEO	Y
Broken seal on Edge DRE requires full manual reconciliation of the votes captured on MC to paper record	Y never happened
Broken seal on Optical Scan requires full manual reconciliation of counts in MP against paper ballots	Central count
County must maintain written log recording chain of custody of each MP and MC from programming on	Y
Every electronic record must have a corresponding paper record copy	Y
VENDOR PROCEDURES FOR COUNTIES	
Diagnostic Tests	
Conduct diagnostic tests on every unit to be used in election within 50 days prior to election	Y
Conduct diagnostic tests according to manufacturer guidelines	Y
Implement correction or recovery procedures as needed	Y
Conduct Summary system diagnostic tests according to manufacturer guidelines	Y
Implement correction or recovery procedures as needed for system summary functions	Y
Conduct ballot specification diagnostic testing to ensure ballots meet proper ballot criteria	Y
Conduct exception processing to ensure proper response to error or anomaly conditions	Y
Conduct test for error ballots	Y
Pre-Election Set up and Testing	
Testing of voting machines and central system conducted before use of equipment in election	Y
Ensure results cartridge (RC) is loaded with verified ballot definition data	Y
Voting units are tested in Pre-LAT mode to ensure proper counting of test votes	Y
Electronic vote count is compared to paper vote count to verify accuracy	Y
Technician signs verification section of results report to indicate successful completion of testing	Y
After Pre-LAT is completed seal Edge for shipment to polling site	Y
Seal RC and Poll Switch door in place and record seal numbers	Y not record numbers
Conduct logic tests of Summary system before and following election night tabulation	Y
For official canvass, conduct summary system logic test prior to processing	Y
After official canvass, conduct accuracy test for 100% of 400C units	N
Conduct Logic and Accuracy test for summary system following official canvass	N
Remedy any discrepancies in LAT and retest for correct function before election	Y
Any change of voting system equipment or hardware requires retesting	Y

General Security	
WinEDS Server and workstation NEVER connected to unsecured public network	Y
WinEDS Server and workstation in controlled, locked area with limited access	Y
WinEDS Server is locked up between elections	Y
WinEDS Server is dedicated to election use	Y
WinEDS server itself locked to provide security against unauthorized use	Y
Master installation disk locked up to prevent unauthorized use	Y
Election Database	
Backup copies of election database made and secured in location separate from working copies	Y
Election database shall be stored for as long after the election as required by law	Y
Changes made to central system software (WinEDS) or EDB after Pre-LAT are documented	Y
Results Cartridge	
RC used for vote tallying shall have both a physical readable label and an electronic identifier	Y
Memory Packs	
Memory Packs must be appropriately labeled depending on precinct of use	n/a
Memory Packs must be initialized in units prior to use to test accuracy of data and units	n/a
Seals must be used on all programmed memory packs inserted into units	n/a
Audit Log	
Actions not reported on the WIN EDS system are recorded on a log book by the operators	N/a
Central system software is maintained under the control of local election official	Y
Central system software shall be available for inspection by local election official	Y
Verivote Printer	
Shall be secured with tamper evident seals to ensure no one other than voter can view marked ballot	Y
Seals on AVVPAT remain intact until printers are returned to county election office	Y
Secured against tampering through seals and continuous form printed record	Y cut for manual tally
Controlled Access:	
Optech Insight operators should have controlled access to units including access to unit keys	n/a 400c central count
Operators should have controlled access to keys that lock CPU and doors	n/a
Keyboard should be locked up inside the machine	n/a
Use First Security Agent to protect against unauthorized entry into system	n/a
Measures taken to prevent unauthorized operating system access to programming PC or units	n/a
No more than two persons in the county shall have administrator level access to programming PC	n/a
Passwords	
Windows passwords used to protect against unauthorized entry into system	Y
Passwords shall meet or exceed best practices for strong passwords	Y
Passwords used for WinEDS or Win ETP software, to secure pre-set Roles, Users and workstations	Y
Passwords should be changed before every election	Y
Passwords and login Ids not used by anyone other than to whom they have been issued	Y
User must change password if password suspected to be disclosed to unauthorized party	Y
Equipment and Data Security	
If PC cannot be dedicated, reload all software and data files from secured backup copies for intact system	n/a
Do not allow unauthorized software to be run on PC, specifically shareware	n/a
Approved virus checking program must be installed on the PC and run prior to each election	y
Externally supplied floppy disks, CDs of DVDs shall not be used unless checked by antivirus software	y
If Central System is not on a standalone "closed" network, approved firewall program must be on PC	n/a
Network should be isolated from any connection to external internet	y
All network connections must be local	y
Unique user password for Network logon	y
Evaluate hub, router and firewall configurations to ensure appropriate levels of security	y
Develop security test plan to monitor security level	y
Monitor security audit logs	y
Vendor provided list of all software needed by election management software	y
Destructible Seals	
Seals must be used on ALL voted ballot containers	y
Seals must not be broken except for ballot inspection	y
Audit trail logs of seal assignments and replacements must be maintained	n
Storage of the AVC Edge, 400C or Optech Insight	
Units must be stored in access controlled area	y
Spare Edge parts should be locked up at all times	y
All cartridges (Results, Consolidation, etc) locked up when not being used	y
Limit access to machines, cartridges, spare parts as much as possible	y
Perform full inspection of each machine including validating firmware version before election use	y
Units should not be left unattended without password protection	y
Units should be locked up between elections	y
Internal PC or unit dedicated only to election use	n/a
Doors on unit PCs locked to provide security against unauthorized entry	n/a
Master installation disk locked up to prevent unauthorized use	y
Unit should be locked to provide security against unauthorized entry	y
Non-essential workstations should not be connected to 400C network	y
Loading the Ballot onto AVC Edge	
Ballot load and Pre-LAT operations performed by AVC Edge technicians while machines in storage	y
Pre-Election Set up and Testing	
Testing of voting machines and central system conducted before use of equipment in election	y
Ensure results cartridge (RC) is loaded with verified ballot definition data	y

Voting units are tested in Pre-LAT mode to ensure proper counting of test votes	y
Electronic vote count is compared to paper vote count to verify accuracy	y
Technician signs verification section of results report to indicate successful completion of testing	y
After Pre-LAT is completed seal Edge for shipment to polling site	y
Seal RC and Poll Switch door in place and record seal numbers	y do not record #
System Proofing	
Conducted in house testing of all phases of election preparations	y
Assignment of jurisdictions to ballot styles	y
Linkage of precincts to ballot style	y
Ballot content of each ballot style	y
Precinct identification coding if used	y
Election night summary report format	y
Testing of all cartridges to be used in election	y
Preparation of machines and cartridges as described by vendor	y
Storage of test script	
Maintain Pre-LAT test script in locked secure storage until actual vote counting commences	y
Transportation	
During election, RC must always be inserted in AVC Edge	y
Memory pack inserted into Optech insight and sealed	n/a
Rear access lid to unit locked	If insight unit n/a
Maintain audit trail logs of all seals used in election process	N
Not more than 5 days before election begin preparing returned absent voter ballots for counting	y
Early Voting	
Polls Open/Closed switch is put in Open position for early voting	y
At the end of each day of early voting the switch is left in the open position but sealed and RC removed	y
Polls switch turned to closed position at end of early voting	y
Verivote Printer Procedures	
Paper is properly installed	y
Functional test has been performed on printer	y
Printer is secured with tamper evident seal and placed in nylon case for transport	y
Elections official shall provide sufficient number of printers for precincts to meet needs of voters	y
Conducting the Election	
Check ballots to ensure ballot style, ID numbers, serial and precinct numbers are correct	y
Secrecy sleeves or envelopes on hand in if ballots printed on 2 sides	n/a
Proper ballot marking devices on hand	y
Certificate of packaging and sealing in duplicate with business reply envelope addressed to EO	n/a
Seal on polls open/closed cover intact until machine assembled and polls open	y
Reseal in polls open position ones polls are open with replacement seal	y
Verivote printer should be sealed/locked to keep contents secure and unit securely mounted to Edge	y
Make a pad of demonstration ballots, markers and demonstration materials available	central office only
Poll workers should demonstrate voting procedure to voters using a sample ballot	n/a
Ensure proper programming of voter activation cards	y
Ensure voters name is checked off list after they have received activation card	y prior to receiving
Verify that serial number on unit is same number listed on verification report	n
Ensure MP already inserted into unit and sealed	n/a
Unlock rear access lid, power up and relock access lid	n/a
Enter 4 digit access code to initiate election	n/a
Only maintenance and Administrative personnel should have 4 digit access code	n/a
Keypad keys are not accessible to poll workers or voters because they are in locked compartment	n/a
Print out system start up reports	n/a if insight
AVC Edge allows review and change of voting choices 2 times before casting ballot	y
If printer experiences a problem the printer should be replaced by poll workers with a ready back up	y
Edge should be powered off during printer replacement and seal on replaced printer not broken	y
At least every hour inspect each booth to ensure no electioneering materials present	y
Ensure that no person to whom an absent voter ballot was issued can vote without surrendering absentee ballot	y
Ensure those turning in absentee ballots seal their ballot	y
Seals must be used on ALL voted ballot containers	y
Upon leaving the voting booth the voter places their ballot in secrecy envelope to proceed to ballot box	n/a
All printers should be returned with other supplies on election night	y
Verivote printer paper installed only by trained technical	y poll workers trained
Removal of RC from Edge will result in stoppage of operation of unit	y
Seal on verivote printer not to be broken at any time by a poll worker	except to change pap
Keep auxiliary port empty to prevent stoppage of operations	y
Numbered seal installed to physically ensure RC is not removed	Y not numbered
Seal numbers should be recorded on election paperwork	N
In case of power failure use auxiliary bin to deposit ballots and contact elections office	N/a
Use Optech Insight poll workers manual for instructions on how to replace paper tape	N/a
Contact Central Trouble Review Board for problems with equipment	Y
Closing Polls	
Seal on polls switch cover cut and switch moved to closed position	Y
Unseal compartment containing keypad and press print totals to close polls	Y
Wait for unit to print results if equipped with printer and sign results	N
Conduct Post logic and accuracy test if desired	Y at central office
Unlock rear access lid and power off unit Optech	n/a

Break seal and remove Memory Pack from Optech Insight	n/a
Place broken seal in plastic bag marked seals and return to election board	y
Place MP in antistatic padded bag and return to election board	n/a
Deface or seal unused ballots as directed	n/a
Complete the ballot statement providing number of spoiled, unused, provisional, precinct ballots	n/a
Reconcile number of precinct voter voted ballots to number of signatures in Roster Index	n/a
Complete "Certificate to Roster"	y
Check with EO before opening ballot box	n/a
Remove ballots from bins and keep them in separate piles for each bin	n/a
Pack ballots in separate cases, label and return to election board	n/a
Record numbers of absentee and provisional ballots and place them in container for return to EO	y
Count all voted ballots excluding absent voter or provisional ballots and record as directed	n/a
Ensure all required materials are in return container and seal with tamper proof seal	y
All members of precinct board sign Certificate of Packaging and sealing and mail to EO	y delivered not mailed
Copy of Certificate of PS will go with ballot container to central counting location	n/a
Poll workers return supply bag, printout bag, official results envelope and cartridge envelope to CEO	y
Container with ballots is returned to EO in secured container by at least two CEO staff	y absentee only
Do not release ballots to custody of another person without first obtaining a receipt	y
Tallying Results	
Removal of RC done in a secure manner	y
RC cartridges places in sealed case and transported by at least 2 poll workers	y
Paper record copies handled in secure manner and transported by at least 2 poll workers	y
If RC lost use WinEDS to manually enter vote data for AVC Edge from printed results report	Y never occurred
Central counting facility should be locked with controlled access	y
Keys and combinations to CCF kept in safe place	y
Combinations should be changed before every election	n/a
Locks/combinations should be immediately changed if suspected to be compromised	y
Official of CCF should have key for access for election coding	n/a
At least two persons in county should have access to CCF	y
AERO accumulation system located in secure room in CCF	y
Aggregation of Precinct Totals in Counting Center	
Election official prepared written procedures of election night tabulation process	y
Election official accounted for processing of provisional and absentee ballots	y
Damaged ballots may be duplicated before processing or after rejection by 400C	y
Duplicated damaged ballots must be of a distinctive color and original ballot voided	y
Ballots not readable by 400C will be duplicated in the same manner as damaged ballots	y
Ballots must be stored in secure location following processing	y
Copy of election results created and stored in secure location	y
Copy of vote totals stored on a floppy disk and print total report	y on CD
Provide summary systems operator with diskette and report of results	y but CD
One Percent manual recount conducted and results recorded and reported	y
Conduct logic tests of Summary system before and following election night tabulation	y
For official canvass, conduct summary system logic test prior to processing	y
After official canvass, conduct accuracy test for 100% of 400C units	n
Conduct Logic and Accuracy test for summary system following official canvass	n
Certification and Reporting	
Elections official appoints logic and accuracy board to review LAT testing and results	y
Provide SOS copy of Logic and Accuracy certification of testing no later than 7 days before election	n
Retain copies of diagnostic and LAT results reports	y
Send ballot tally programs to SOS no later than 7days before each statewide election	y

Election Communications		
Cell phones at each site	Y	cell phones only at sites without other a
Rovers with cell phones visit each polling site at least once.	Y	
Rovers complete Election Day Opening Checklist with each Inspector	Y	
Toll free number available for poll worker use	Y	
Physical Security-Office		
Voting machines and ballots are stored in secure rooms with cameras, alarms and fob locks	Ballots Y Voting machines in secure war	
Only 4 people have key fobs and alarm numbers	Y for ballots More for warehouse	
Vendor employees never handle voting equipment	Y except under direct supervision of	
Physical Security-Warehouse		
Staff members inspect warehouse on a monthly basis	Y	
Vendor employees never handle voting equipment	Y except under direct supervision of	
Voting machines stored in a locked and alarmed area	Y	
Poll workers and Transportation of equipment		
Voting equipment is transported in rented truck by county employees	Y	
Voting equipment/materials are delivered Thursday, Friday and Monday before election	Y Wednesday also	
Voting equipment/materials are picked up the Wednesday and Thursday after election by county employess	Y and Friday	
Poll workers do not transport voting machines	Y except for VVPAT and Activato	
Poll workers transport VVPATS and any delivered ballots to Election Office at close of polls	Y	
Poll workers are trained to ensure no one is at back of machines	Y	
Poll workers use specified form to indicate any machine regularities	Y	
Poll workers record incidences of anomaly on the trouble log	Y	
If security requirements are not met poll workers are to record in trouble log, call elections office and remove from use	Y	
Post Election		
Tabulation server is stored in Information Technology Cold Room with limited access	Y	
Tabulation machine is stored in a room secured by alarm, cameras and fob locks	Y	
Use plastic InTab seals on cartridge door, VVPAT casing and rail and polls open/closed switch	Y	
Seals used are not recorded on log sheets	Y	