



May 23, 2022

## Registrar's Note About Our Upcoming Statewide Primary Election on June 7, 2022

I was appointed Nevada County Clerk-Recorder in 2007 by the Nevada County Board of Supervisors. Subsequently, I thank the voters of Nevada County for demonstrating their confidence in me by returning me to office in the last three statewide primary elections. I pledge to continue to manage the offices of Clerk-Recorder and Registrar of Voters to benefit all our citizens.

The security of Nevada County voting and our voting systems is a top priority for me as Registrar of Voters for Nevada County. Election security preparedness is my major concern every day, not just when there is an impending election. We constantly review and refine our voting procedures and practices including chain of custody procedures, seals and logs pre-election, on Election Day and post-election. Risk management practices and controls, including the physical handling and storage of voting equipment and ballots, are important elements of our work. The goal is to deliver a process that is not only safe and secure, but also fair, accurate and accessible.

Our electoral process is not exactly a single, hackable system. There is no central U.S. voter database. A national hacking of the June Election is highly improbable due to our unique, decentralized process. Our system is diverse, subject to local control and has many checks and balances built in. Each state and locality conducts its own system of voting developing standards and security requirements for equipment and software.

Furthermore, no component of our voting system is connected to the internet. Our in-precinct scanners, electronic voting machines, electronic rosters, tally machines, on-demand ballot generation, central scanners, electronic signature verification and reporting systems are not internet-based and do not connect to each other online. They're islands among islands.

Before each election, we publicly conduct logic and accuracy testing of our voting machines to ensure they are working and tabulating properly. The machines are then pre-defined under supervision, sealed and accounted for, until election day, to prevent tampering.

After the election, we conduct a canvass which includes a review of the vote tally, conditional ballots, provisional ballots and a mandated post-election audit. All of our voting machines have triple redundancy: paper ballots, hard drive and memory card. Our electronic machines all have a voter-verified paper audit trail (VVPAT). The canvass process is designed to further guard against deliberate manipulation of the election, as well as software, hardware or programming problems.

**There is no evidence that all-mailed ballot elections result in rampant voter fraud, nor that election officials lack the knowledge about how to protect against abuses.**

### Elections Services

Phone 530-265-1298

Fax: 530-265-9829

[Elections.Mail@co.nevada.ca.us](mailto:Elections.Mail@co.nevada.ca.us)

[mynevadacounty.com/elections](http://mynevadacounty.com/elections)

### Clerk-Recorder Services

Phone: 530-265-1221

Fax: 530-265-9842

[NC.Recorder@co.nevada.ca.us](mailto:NC.Recorder@co.nevada.ca.us)

[mynevadacounty.com/recorder](http://mynevadacounty.com/recorder)

Voter fraud includes voter impersonation, voters registering in multiple states and voting multiple times and when those who are not allowed to vote under the law do so anyway, i.e. noncitizens or, in some states, convicted felons. The key to voter fraud is intent. Fraud occurs only when someone knowingly breaks the rules.

The very conservative Heritage Foundation maintains an online database of voter fraud cases in the United States. Over the past twenty (20) years, approximately 250 million votes have been cast by a mail ballot nationally. The Heritage Foundation found 143 cases of fraud using mailed ballots that resulted in criminal convictions over the course of twenty years.

Let's put that in perspective.

One hundred forty-three cases of fraud using mailed ballots over the course of twenty years means that across the 50 states, there has been an average of three cases per state over the 20-year span. That is just one case per state every six or seven years. We are talking about an occurrence that translates to about 0.00006 percent of total mail ballots cast. It's ironic that the data compiled by the Heritage Foundation actually undermines its claim of widespread voter fraud.

No wonder voter fraud, as previously defined, is so rare when it comes to mail ballots. The bad actor would have to mimic everything perfectly from the ballot's size, style, weight, envelopes, barcodes and signature of a registered voter, to name a few elements of our processes. Please be assured our processes using a mix of human oversight and technology serve the voters of Nevada County well.

**Voters can be assured that, in fact, a forensic audit is not necessary. In California, there are laws and procedures already in place to ensure the security of our voting systems.**

- All voting machines are tested and certified by the Secretary of State using some of the strictest standards in the US. This includes prohibiting any ability to connect to machines remotely or to connect machines to the internet.
- California uses an independent third party to conduct source code review and evaluation, hardware and software security penetration testing, and operational testing to validate system performance and functioning under normal and abnormal conditions. The independent third party must be a state approved testing authority and must follow strict chain of custody requirements, including personnel requirements, that protect source codes from breaches. This process allows California officials to identify any vulnerabilities and prevent anything from happening to our elections in the first place.
- All ballots are cast on official paper. Counties use special water-marked paper to print ballots. The watermark is assigned by the Secretary of State each election. Official ballot paper may only be provided by a vendor certified by the State of California. Mail and print vendors must also follow strict requirements ensuring the chain of custody and security of ballot paper.
- Post election, counties reconcile ballots with voter records to ensure one person, one vote. This is called the election canvass. Part of the canvass requires election officials to conduct a hand tally of 1% of ballots cast to ensure the results reflect the votes. The ballots are randomly selected for the tally, are hand counted and matched against the machine count. The election cannot be certified until the hand count and the machine count match 100%.

Voters can see the proof for themselves. The entire election process is open to the public for observation. From vote centers and drop boxes, to the vote count and post-election audit — any member of the public can observe.

My commitment to ensure the integrity of the election process remains my number one priority. Our office staff is committed to providing the best possible service to you, the voters of Nevada County. **Together**, we ensure the election is fair, accurate and administered with the utmost integrity.

We take election fraud seriously. If you have evidence that election fraud occurred, tell us. Our office will examine the evidence and provide it to law enforcement.

Here's another small thought that has nagged me over the years: Why would someone risk trying to violate our voting system? Nearly impossible to do, and then there are those penalties — including jail time. Not worthwhile, seems to me.

**Gregory J. Diaz is Nevada County Clerk-Recorder and Registrar of Voters**