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**SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF SIERRA**

**In the Matter of**

**2017-2018 Sierra County Grand Jury**

**MINUTE ORDER**

**HONORABLE CHARLES H. ERVIN, JUDGE PRESIDING**

The County Clerk is hereby directed to file the **Sierra County Grand Jury 2017-2018 Final Report**, attached hereto.

**I HEREBY CERTIFY** the foregoing to be a full, true and correct copy of an order entered on the minutes of said Superior Court of the State of California, County of Sierra, this 9<sup>th</sup> day of July 2018.

**ATTEST** my hand and seal of the Superior Court of the State of California, County of Sierra, this 9<sup>th</sup> day of July 2018.

**SIERRA SUPERIOR COURT**

BY [Signature] Clerk

cc: Heather Foster  
Sierra County Clerk  
Courthouse  
Downieville, CA 95936



# **2017-2018 Grand Jury Report**

## **Sierra County Elections Department**

Heather Foster - County Clerk, Malissa Kinneer – Elections Supervisor

The Sierra County Clerk-Recorder is responsible for organizing the candidates and ballot measures and printing the Sierra County Ballot for each election. The format of the ballot is important to the scanning process. They are also responsible for a fair and accurate election within Sierra County as well as an accurate count of the votes. As Sierra County is a mail in ballot County, all ballots are mailed to the Sierra County Court House in Downieville where the Clerk-Recorder office is located. Each election is processed with the same established procedure to ensure no voter votes more than one time per election. Each ballot is checked and rechecked for anomalies that may impair the last step in the process and for over and under voting in each category. In the last step of the inspection, the ballots are guided through a 2-sided scanning process that creates a report of the vote count, totals and pertinent information about the results for the election (Election Code 15104(b)).

At each election two members from the Grand Jury and at least one member from the Democratic County Central Committee and at least one member from the Republican County Central Committee and of any other party with a candidate on the ballot, or any other interested organization shall be permitted to observe and challenge the process (Election Code 15104(b)). The Foreperson and the Pro Tem from the 2017-2018 Grand Jury was present Tuesday June 5, 2018 for the Sierra County Election return count. We observed each step of the ballot inspection procedure, counting process and assured scanner accuracy.

Sierra County Election Ballot's come into the first stage of the verification process from the Sierra County Clerk-Recorder Post Office Box. They are then put into the Clerk-Recorder's safe until processing. No ballots are left unattended unless locked in the Clerk-Recorder's safe. A vote by mail voter list is displayed for public inspection before election day. The list can be challenged if there is reason to believe something is not right with anyone on the list. Any and all challenges

must be made before any envelopes are opened (Election Code 14240(a); 15105).

The reasons for ballot challenge are:

- \* The voter name is not on the index list;
  - \* The voter is not a resident of the precinct;
  - \* The voter is not a US citizen;
  - \* The voter has already voted in this election;
  - \* The voter is presently on parole for felony conviction.
- \* Also, a challenge can be made for the ballot not received in time limit for the election (Election Code 15105).

If any challenge is made, the election officials will investigate the challenge evidence for each challenge and determine the outcome of each challenge (Election Code 14240(c)). Because the voter is not present, the challenger shall have the burden of establishing extraordinary proof of validity for each challenge (Election Code 15106).

The ballot envelopes are brought from the Clerk-Recorder's safe into the Supervisors Chambers at the Court House; the ballot envelopes have been organized by Precinct, though the Precincts are randomly inspected (not in any order). Empty boxes for each Precinct are in the ready for transferring the inspected ballots to the Clerk-Recorder's office. Signatures are verified by comparing them to voter registration information. Signatures on the envelope ballot have verification done at the time a batch is processed and each status is entered into a vote by mail list (database). Any ballots that are damaged, defective or have other visible marking issues are set aside. These are to be duplicated by 2-people, verifying each intended mark for vote. The duplicate ballots and the original ballots duplicated are identified with a cross reference number and placed in separate labeled envelopes and sealed for later processing. This is done after the other ballots are inspected and scanned.

We observed the process of checking each ballot by 4 people, Elections Supervisor, one data recorder, and two verifiers. There are specific rules applied to the observers. Observers must keep conversation to a minimum and keep order. Observers shall view but not interfere with the orderly processing of mail in ballot return envelopes or the ballot processing/counting process (Elections Code 15104 (e)). Observers are restricted to areas sufficiently close to enable them to observe but not interfere so they may challenge the process if they see something to question (Elections Code (d)). Any questions or challenges regarding the handling

of vote by mail envelopes, ballots or about the procedure shall be addressed only to Melissa Kinneer, Elections Supervisor or Heather Foster, County Clerk.

Each ballot envelope was opened and placed in a pile until all of that batch of envelopes was opened. Each envelope in the pile had the ballot removed, identified and set in a pile. The name on each ballot was read aloud and checked in a data base on a laptop then confirmed legitmist. The envelopes are counted against the ballot count to ensure accuracy. Each ballot was looked at for anomalies by the 4-people present. These anomalies include damaged or defective ballots, and visible obscure marks then they are placed separately from the ready Precinct transfer boxes.

We observed the use of an empty box with a slot in the top to put the ballots into. Each of the remaining precinct ballot name is read again and declared "has voted" the ballot is placed in the slot in the top of the previously empty box. When the Precinct ballots have all been put in the box they are counted and placed into the correct Precinct box for transfer to the Clerk-Register office for scanning. The envelopes are for that Precinct are put together with a rubber band for delivery to the Clerk-Recorder's office. When the box is empty after the transfer to the Precinct box, it was shown to be empty again. This happens for every one of the 23 Precincts.

In the Clerk-Recorder's office we observed the process of scanning the two-sided ballots. A specially designed two way scanning machine is programed to look at the Sierra County Ballots format. We were shown how it works and observed sample ballets going through the scanner to create the Election Summary Report. (Attached is a copy of Election Summary Report, unofficial report #3 from 21:27: 42, 6/5/2018).

We watched while 12 randomly marked sample ballots were fed through the special scanner. Then an Election Summary Report was printed out. We took the 12 sample ballots and the printed Election Summary Report to a private location. We checked each and every entry on each of the 12 sample ballots. We compared our results against the Election Summary Report for accuracy. We found 100% accuracy.

The scanner can pick up anomalies while it scans the ballots and indicates these in the report. At the top of the printed report is the Identification data for the report. At the top of each category there are six lines of information about that category. As an example, for Governor from the unofficial report #3, each line

represents a total.

Line one: Number of Precincts – 23 (total in the county);

Line two: Precinct's Reporting – 23 100.0% (all precincts in the county);

Line three: Times Counted - 1006/2155 46.7% (1006 out of 2155 total registered voters have been counted);

Line four: Total Vote - 947 (947 votes were counted for these candidates);

Line five: Times over voted – 0 (no over votes, this is when there are more votes in a category than allowed, Vote for 1, and there were votes for 2, cannot be counted);

Line six: Number of under votes – 59 (there were 59 ballots with no vote for any candidate);

below this data is the list of candidates in the category.

When the 12 sample ballots were checked against the Election Summary Report we found that all information was correct, even the over and under count. After going through the accuracy process, and observing all of the checks and rechecks in the process, we are assured that the voting procedure in Sierra County is truly fair and accurate for the registered voters in Sierra County.

Election Summary Report  
 Direct Primary Election  
 June 5, 2018

Date:06/05/18  
 Time:21:27:42  
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County of Sierra, California  
 Summary For JURISDICTION WIDE, All Counters, All Races  
 UNOFFICIAL REPORT #3

Registered Voters 2155 - Cards Cast 1006 46.68%

Num. Report Precinct 23 - Num. Reporting 23 100.00%

Governor		Total
Number of Precincts		23
Precincts Reporting		23 100.0 %
Times Counted	1006/2155	46.7 %
Total Votes		947
Times Over Voted		0
Number Of Under Votes		59
JOSH JONES	4	0.42%
J. BRIBIESCA	2	0.21%
GLORIA LA RIVA	3	0.32%
PETER Y LIU	17	1.80%
ANTONIO VILLARAIGOSA	26	2.75%
YVONNE GIRARD	13	1.37%
ROBERT GRIFFIS	0	0.00%
SHUBHAM GOEL	1	0.11%
TRAVIS ALLEN	179	18.90%
AKINYEMI AGBEDE	1	0.11%
JOHNNY WATTENBURG	2	0.21%
NICKOLAS WILDSTAR	5	0.53%
DESMOND SILVEIRA	1	0.11%
MICHAEL SHELLENBERGE	4	0.42%
ZOLTAN ISTVAN	6	0.63%
CHRISTOPHER CARLSON	3	0.32%
THOMAS CARES	2	0.21%
JOHN CHIANG	70	7.39%
JOHN H. COX	341	36.01%
AMANDA RENTERIA	14	1.48%
DELAINE EASTIN	26	2.75%
JEFFREY TAYLOR	0	0.00%
KLEMENT TINAJ	0	0.00%
HAKAN MIKADO	3	0.32%
ALBERT MEZZETTI	3	0.32%
GAVIN NEWSOM	214	22.60%
ROBERT C. NEWMAN II	5	0.53%
Write-in Votes	2	0.21%

Lieutenant Governor		Total
Number of Precincts		23
Precincts Reporting		23 100.0 %
Times Counted	1006/2155	46.7 %
Total Votes		883
Times Over Voted		1
Number Of Under Votes		122
JEFF BLEICH	42	4.76%
ELENI KOUNALAKIS	183	20.72%
CAMERON GHARABILOU	6	0.68%
TIM FERREIRA	25	2.83%
DAVID FENNELL	171	19.37%
DANNY THOMAS	8	0.91%
COLE HARRIS	186	21.06%
ED HERNANDEZ	64	7.25%
DAVID R. IERNANDEZ	55	6.23%
LYDIA ORTEGA	99	11.21%
GAYLE MC LAUGHLIN	38	4.30%
Write-in Votes	6	0.68%

Secretary of State		Total
Number of Precincts		23
Precincts Reporting		23 100.0 %
Times Counted	1006/2155	46.7 %
Total Votes		888
Times Over Voted		1
Number Of Under Votes		117
ALEX PADILLA	303	34.12%
GAIL K. LIGHTFOOT	43	4.84%
C.T. WEBER	9	1.01%
ERIK RYDBERG	10	1.13%
RAUL RODRIGUEZ JR.	108	12.16%
MICHAEL FEINSTEIN	11	1.24%
RUBEN MAJOR	23	2.59%
MARK P. MEUSER	377	42.45%
Write-in Votes	4	0.45%

Controller		Total
Number of Precincts		23
Precincts Reporting		23 100.0 %
Times Counted	1006/2155	46.7 %
Total Votes		904
Times Over Voted		0
Number Of Under Votes		102
KONSTANTINOS RODITIS	444	49.12%
MARY LOU FINLEY	58	6.42%
BETTY T. YEE	399	44.14%
Write-in Votes	3	0.33%

Election Summary Report  
Direct Primary Election  
June 5, 2018

Date:06/05/18  
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County of Sierra, California  
Summary For JURISDICTION WIDE, All Counters, All Races  
UNOFFICIAL REPORT #3

Registered Voters 2155 - Cards Cast 1006 46.68%

Num. Report Precinct 23 - Num. Reporting 23 100.00%

Treasurer		Total
Number of Precincts		23
Precincts Reporting		23 100.0 %
Times Counted	1006/2155	46.7 %
Total Votes		893
Times Over Voted		0
Number Of Under Votes		113
VIVEK VISWANATHAN	75	8.40%
JACK M. GUERRERO	264	29.56%
KEVIN AKIN	28	3.14%
GREG CONLON	266	29.79%
FIONA MA	257	28.78%
Write-in Votes	3	0.34%

Board of Equalization, District 1		Total
Number of Precincts		23
Precincts Reporting		23 100.0 %
Times Counted	1006/2155	46.7 %
Total Votes		901
Times Over Voted		0
Number Of Under Votes		105
TED GAINES	483	53.61%
CONNIE CONWAY	107	11.88%
DAVID EVANS	61	6.77%
TOM HALLINAN	249	27.64%
Write-in Votes	1	0.11%

Attorney General		Total
Number of Precincts		23
Precincts Reporting		23 100.0 %
Times Counted	1006/2155	46.7 %
Total Votes		896
Times Over Voted		0
Number Of Under Votes		110
DAVE JONES	85	9.49%
STEVEN C BAILEY	345	38.50%
XAVIER BECERRA	265	29.58%
ERIC EARLY	199	22.21%
Write-in Votes	2	0.22%

United States Representative		Total
Number of Precincts		23
Precincts Reporting		23 100.0 %
Times Counted	1006/2155	46.7 %
Total Votes		933
Times Over Voted		0
Number Of Under Votes		73
DAVID PETERSON	41	4.39%
DOUG LA MALFA	530	56.81%
MARTY WALTERS	91	9.75%
GREGORY CHEADLE	46	4.93%
LEWIS ELBINGER	13	1.39%
JESSICA HOLCOMBE	82	8.79%
AUDREY DENNEY	129	13.83%
Write-in Votes	1	0.11%

Insurance Commissioner		Total
Number of Precincts		23
Precincts Reporting		23 100.0 %
Times Counted	1006/2155	46.7 %
Total Votes		798
Times Over Voted		0
Number Of Under Votes		208
STEVE POIZNER	415	52.01%
RICARDO LARA	197	24.69%
NATHALIE HRIZI	70	8.77%
ASIF MAHMOOD	106	13.28%
Write-in Votes	10	1.25%

State Assembly Member		Total
Number of Precincts		23
Precincts Reporting		23 100.0 %
Times Counted	1006/2155	46.7 %
Total Votes		920
Times Over Voted		0
Number Of Under Votes		86
CALEEN SISK	209	22.72%
PETER VAN PEBORGH	51	5.54%
BRIAN DAHLE	621	67.50%
JENNY O CONNELL	36	3.91%
Write-in Votes	3	0.33%

# Election Summary Report

Date:06/05/18

## Direct Primary Election

Time:21:27:42

June 5, 2018

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County of Sierra, California

Summary For JURISDICTION WIDE, All Counters, All Races

### UNOFFICIAL REPORT #3

Registered Voters 2155 - Cards Cast 1006 46.68%

Num. Report Precinct 23 - Num. Reporting 23 100.00%

United States Senator		
	Total	
Number of Precincts	23	
Precincts Reporting	23	100.0 %
Times Counted	1006/2155	46.7 %
Total Votes	865	
Times Over Voted	0	
Number Of Under Votes	141	
GERALD PLUMMER	7	0.81%
TOM PALZER	40	4.62%
JOHN PARKER	5	0.58%
DOUGLAS PIERCE	6	0.69%
HERBERT G. PETERS	3	0.35%
JAMES P. BRADLEY	118	13.64%
ARUN K. BHUMITRA	19	2.20%
JERRY JOSEPH LAWS	22	2.54%
PATRICK LITTLE	17	1.97%
TIM GILDERSLEEVE	5	0.58%
MICHAEL FAHMY GIRGIS	0	0.00%
DON J. GRUNDMANN	2	0.23%
RASH BIHARI GHOSH	3	0.35%
LING LING SHI	4	0.46%
JOHN "JACK" CREW	45	5.20%
ERIN CRUZ	64	7.40%
DERRICK MICHAEL REID	20	2.31%
DIANNE FEINSTEIN	238	27.51%
COLLEEN SHEA FERNALD	5	0.58%
ADRIENNE EDWARDS	6	0.69%
PAUL A TAYLOR	83	9.60%
DONNIE O. TURNER	2	0.23%
PAT HARRIS	10	1.16%
ALISON HARTSON	15	1.73%
JASON M. HANANIA	6	0.69%
DAVID HILDEBRAND	0	0.00%
LEE OLSON	3	0.35%
ROQUE DE LA FUENTE	14	1.62%
KEVIN DE LEON	60	6.94%
KEVIN MOTTUS	23	2.66%
DAVID MOORE	4	0.46%
MARIO NABLIBA	12	1.39%
Write-in Votes	4	0.46%

Superintendent of Public Instruction		
	Total	
Number of Precincts	23	
Precincts Reporting	23	100.0 %
Times Counted	1006/2155	46.7 %
Total Votes	779	
Times Over Voted	1	
Number Of Under Votes	226	
LILY PLOSKI	133	17.07%
STEVEN IRELAND	167	21.44%
TONY K. THURMOND	200	25.67%
MARSHALL TUCK	273	35.04%
Write-in Votes	6	0.77%

County Superintendent of Schools		
	Total	
Number of Precincts	23	
Precincts Reporting	23	100.0 %
Times Counted	1006/2155	46.7 %
Total Votes	722	
Times Over Voted	0	
Number Of Under Votes	284	
MERRILL M. GRANT	671	92.94%
Write-in Votes	51	7.06%

Supervisor, 2nd District		
	Total	
Number of Precincts	7	
Precincts Reporting	7	100.0 %
Times Counted	238/417	57.1 %
Total Votes	225	
Times Over Voted	0	
Number Of Under Votes	13	
DOCIA BOSTROM	87	38.67%
PETER W. HUEBNER	137	60.89%
Write-in Votes	1	0.44%

Supervisor, 5th District		
	Total	
Number of Precincts	4	
Precincts Reporting	4	100.0 %
Times Counted	206/342	60.2 %
Total Votes	199	
Times Over Voted	0	
Number Of Under Votes	7	
SCOTT A. SCHLEFSTEIN	84	42.21%
SHARON DRYDEN	114	57.29%
Write-in Votes	1	0.50%

Superior Court Judge		
	Total	
Number of Precincts	23	
Precincts Reporting	23	100.0 %
Times Counted	1006/2155	46.7 %
Total Votes	971	
Times Over Voted	0	
Number Of Under Votes	35	
J. LON COOPER	295	30.38%
YVETTE DURANT	675	69.52%
Write-in Votes	1	0.10%

Election Summary Report  
 Direct Primary Election  
 June 5, 2018  
 County of Sierra, California  
 Summary For JURISDICTION WIDE, All Counters, All Races  
 UNOFFICIAL REPORT #3

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Registered Voters 2155 - Cards Cast 1006 46.68%

Num. Report Precinct 23 - Num. Reporting 23 100.00%

County Assessor		Total
Number of Precincts		23
Precincts Reporting		23 100.0 %
Times Counted	1006/2155	46.7 %
Total Votes		813
Times Over Voted		0
Number Of Under Votes		193
LAURA A. MARSHALL		798 98.15%
Write-in Votes		15 1.85%

County Sheriff-Coroner		Total
Number of Precincts		23
Precincts Reporting		23 100.0 %
Times Counted	1006/2155	46.7 %
Total Votes		985
Times Over Voted		1
Number Of Under Votes		20
TIM STANDLEY		382 38.78%
MICHAEL FISHER		601 61.02%
Write-in Votes		2 0.20%

County Auditor-Treasurer-Tax Collector		Total
Number of Precincts		23
Precincts Reporting		23 100.0 %
Times Counted	1006/2155	46.7 %
Total Votes		751
Times Over Voted		0
Number Of Under Votes		255
VAN A. MADDOX		715 95.21%
Write-in Votes		36 4.79%

Proposition 68		Total
Number of Precincts		23
Precincts Reporting		23 100.0 %
Times Counted	1006/2155	46.7 %
Total Votes		921
Times Over Voted		0
Number Of Under Votes		85
YES		390 42.35%
NO		531 57.65%

County Clerk-Recorder		Total
Number of Precincts		23
Precincts Reporting		23 100.0 %
Times Counted	1006/2155	46.7 %
Total Votes		838
Times Over Voted		0
Number Of Under Votes		168
HEATHER FOSTER		827 98.69%
Write-in Votes		11 1.31%

Proposition 69		Total
Number of Precincts		23
Precincts Reporting		23 100.0 %
Times Counted	1006/2155	46.7 %
Total Votes		919
Times Over Voted		1
Number Of Under Votes		86
YES		760 82.70%
NO		159 17.30%

County District Attorney-Public Administrator		Total
Number of Precincts		23
Precincts Reporting		23 100.0 %
Times Counted	1006/2155	46.7 %
Total Votes		907
Times Over Voted		0
Number Of Under Votes		99
DAVID GARNER		409 45.09%
SANDRA A. GROVEN		497 54.80%
Write-in Votes		1 0.11%

Proposition 70		Total
Number of Precincts		23
Precincts Reporting		23 100.0 %
Times Counted	1006/2155	46.7 %
Total Votes		852
Times Over Voted		1
Number Of Under Votes		153
YES		307 36.03%
NO		545 63.97%

Election Summary Report  
 Direct Primary Election  
 June 5, 2018  
 County of Sierra, California  
 Summary For JURISDICTION WIDE, All Counters, All Races  
 UNOFFICIAL REPORT #3

Date:06/05/18  
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Registered Voters 2155 - Cards Cast 1006 46.68%

Num. Report Precinct 23 - Num. Reporting 23 100.00%

Proposition 71		
	Total	
Number of Precincts	23	
Precincts Reporting	23	100.0 %
Times Counted	1006/2155	46.7 %
Total Votes	868	
Times Over Voted	0	
Number Of Under Votes	138	
YES	635	73.16%
NO	233	26.84%

Measure C		
	Total	
Number of Precincts	4	
Precincts Reporting	4	100.0 %
Times Counted	204/296	68.9 %
Total Votes	200	
Times Over Voted	0	
Number Of Under Votes	4	
YES	104	52.00%
NO	96	48.00%

Proposition 72		
	Total	
Number of Precincts	23	
Precincts Reporting	23	100.0 %
Times Counted	1006/2155	46.7 %
Total Votes	901	
Times Over Voted	0	
Number Of Under Votes	105	
YES	703	78.02%
NO	198	21.98%

Measure A		
	Total	
Number of Precincts	23	
Precincts Reporting	23	100.0 %
Times Counted	1006/2155	46.7 %
Total Votes	977	
Times Over Voted	2	
Number Of Under Votes	27	
YES	538	55.07%
NO	439	44.93%

Measure B		
	Total	
Number of Precincts	2	
Precincts Reporting	2	100.0 %
Times Counted	167/221	75.6 %
Total Votes	166	
Times Over Voted	0	
Number Of Under Votes	1	
YES	120	72.29%
NO	46	27.71%

