



**SHIRLEY N. WEBER, Ph.D.** | SECRETARY OF STATE | STATE OF CALIFORNIA  
LEGAL AFFAIRS OFFICE  
1500 11<sup>th</sup> Street | Sacramento, CA 95814 | 916.695.1242 | [www.sos.ca.gov](http://www.sos.ca.gov)

November 16, 2023

RE: California Public Records Act Request of October 23, 2023

Thank you for contacting the California Secretary of State with your request for records pursuant to the California Public Records Act. A copy of your request is attached.

The following records have been identified in response to your request:

1. Elections Tool Kits sent to counties
2. Printed copies of items available on the Secretary of State website. See also:
  - <https://www.sos.ca.gov/elections/election-cybersecurity>
  - <https://www.sos.ca.gov/elections/election-cybersecurity/resources-counties#toolkit>
  - <https://www.sos.ca.gov/elections/election-cybersecurity/cybersecurity-informational-videos>
  - <https://www.sos.ca.gov/elections/election-cybersecurity/rumor-control>
  - <https://www.sos.ca.gov/elections/election-cybersecurity/resources-counties>
3. Weekly Cybersecurity Newsletters sent to counties
4. Purchase orders for internet monitoring.
5. Copies of social media posts.

The California Public Records Act permits the Secretary of State to collect statutory fees for the cost of producing copies of its records, which must be remitted at the time the records are requested. The statutory fees for reproduction of plain copies of the records you have requested are \$1.00 for the first page, and \$0.50 for each additional page. However, we are able to provide the attached electronic copies of each item listed above at no charge.

We are withholding items that are attorney-client privileged and attorney work product communications between Secretary of State attorneys and Secretary of State attorney and staff, along with other internal Secretary of State staff communications and documents reflecting the deliberative process and official information privileges, which also include records that reflect the candid evaluations, analysis and exchange of ideas that assist decision-makers in making their final policy, budget and other executive decisions and negotiations. (Government Code sections 7922.000, 7927.705; Evidence Code sections 950, 954, 955, 1040, and 1041; *Times Mirror v. Superior Court* (1991) 53 Cal.3d 1325, 1339-1346 [describing "The Deliberative Process Privilege"].)

Additionally, we are withholding items that are in draft form, and other items due to risks that the information might create or disclose information security vulnerabilities or otherwise increase the

potential for an attack on an information technology system or asset or expose an election worker to public harassment. (See Government Code sections 7922.000, 7929.210 and 7927.500)

We hope this information is helpful to you. If you have any questions about this or another matter related to records available at the Secretary of State's Office, please contact us again.

Sincerely,

Legal Affairs Office  
Secretary of State

**From:** HMS. Hope <hms\_hope@zohomail.com>

**Sent:** Monday, October 23, 2023 11:58 AM

**To:** Secretary of State, Constituent Affairs <constituentaffairs@sos.ca.gov>

**Subject:** Public Records Request #346

**Caution:** External Email Warning: This is an email from an external sender. Do not click any links or attachments unless you have confirmed the sender. Report phishing by using the phishing alert button.

This is a public records request.

Please provide records related to any response plan or mitigation in place for election-related misinformation and/or threats found on social media.

These records may be in the form of emails, letters, contracts, invoices, reports, or alerts between the Secretary of State and/or her Office as a whole and another organization, business, or entity.

Please observe the law and respond to this request within 10 days. If you deny any part of this request, please observe the law and cite the section of the Public Records Act that justifies your denial, along with an appropriate explanation. Thank you.

Jim Brown